LOK SABHA DEBATES

(Part I – Questions and Answers)

VOLUME IV, 1954

(23rd Aug. – 24th Sept. 1954)

सत्यमेव जयते

SEVENTH SESSION

1954

LOK SABHA SECRETARIAT

NEW DELHI

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Acc. No. 2533
Dated 07.12.2

LOK SABHA

Friday, 17th September, 1954

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

THEFTS ON NORTHERN RAILWAYS

*1044. **Shri D. C. Sharma:** Will the Minister of **Railways** be pleased to state:

(a) the number of cases of theft and pilferage from goods trains on Northern Railways detected during 1952 and 1953;

(b) what stations are the worst affected in this respect; and

(c) the special steps taken to check these incidents?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) 103 in 1952 and 137 in 1953.

(b) Stations on the Mogalsarai-Allahabad, Kanpur-Tundla, Raebareilly-Lucknow, and Bareilly-Moradabad sections are the worst affected.

(c) A statement showing the steps taken to check these incidents is placed on the Table of the House. [*See* Appendix VI, annexure No. 49.]

Shri D. C. Sharma: May I know, Sir, why there has been so much increase of theft, in spite of the fact that great precautions have been taken, which are detailed in items 1 to 6 of the statement?

Shri Shahnawaz Khan: There was a slight increase in 1953 over the year 1952. But I am very glad to inform the hon. Member that there has been considerable decrease in the year 1954.

Shri D. C. Sharma: May I know, Sir, how the Watch and Ward Department works in liaison with the Police?

Shri Shahnawaz Khan: The Watch and Ward Department is now being reorganised. An officer of the rank of Inspector-General has been appointed. The duties of the Watch and Ward are to safeguard the railway property on the railway premises; also, they escort certain goods trains. They have no direct link with the provincial police

Shri D. C. Sharma: Will the hon. Parliamentary Secretary correct the false impression that is prevailing in some quarters that there is some kind of a collusion between the railwaymen and the criminals so far as the committing of thefts and acts of pilferage are concerned?

Shri Shahnawaz Khan: Although I cannot entirely deny the fact that there is collusion between the railway employees and these thieves, I would like to point out that it is very much exaggerated. Two or three cases might have come to our notice and we have taken suitable action, but I may inform hon. Members that this is very much over-exaggerated.

INDO-U.S. AIR AGREEMENT

*1046. **Shri S. N. Das:** Will the Minister of **Communications** be pleased to state what progress, if any, has been made in the matter of concluding a fresh Air Agreement between India and the United States of America?

The Deputy Minister of Communications (Shri Raj Bahadur): Negotiations

for a fresh Air Agreement between India and the U.S.A. have not yet started.

Shri S. N. Das: May I know, Sir, when the existing agreement is to terminate and if so, whether there is any possibility of a fresh agreement being concluded before that date?

Shri Raj Bahadur: One year's notice of termination of the agreement was served on the USA on the 14th January 1954, and it is due to expire on the 14th of January next year.

Shri S. N. Das: May I know, Sir, whether there have been occasions when the United States airlines have made inroads into the legitimate spheres of our lines, and if so, what steps have been taken by Government to prevent them?

Shri Raj Bahadur: That furnishes one of the justifications for our serving this notice on them.

Shri S. N. Das: May I know what were the points of difference when some consultation under this agreement was made previously?

Shri Raj Bahadur: The agreement with the United States was of the Bermuda type, which means that they could determine their own capacity and frequency of air services. We wanted that it should be on the predetermination basis—fixing capacity and frequency of flights. They were not agreeable to that. That affected us prejudicially so far as our third and fourth freedom traffic with other countries was concerned. On that point the negotiations broke down.

WAGON SHORTAGE

***1047. Shri Gidwani:** Will the Minister of **Railways** be pleased to state:

(a) whether the Bombay State Fruit and Vegetable Market Committee at Ahmedabad have represented to Government that agricultural products worth lakhs of rupees would be ruined for lack of proper transport facilities if wagons were not provided to various centres in Gujarat; and

(b) if so, whether any action has been taken by Government in the matter?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) Yes.

(b) The matter was referred to the Western Railway Administration who reported that wagon supply for movement of agricultural products from stations in Gujarat has been generally adequate so far during the year 1954. A detailed reply was also given on 13th August 1954 to the Chairman of the Bombay State Fruit and Vegetable Market Committee, Ahmedabad.

Shri Gidwani: Is it a fact that we have not sufficient number of wagons for our needs in the country?

Shri Shahnawaz Khan: I believe that is not a secret.

Shri Gidwani: Is it a fact that we have more of locomotives and engines lying unused because of want of sufficient wagons?

Shri Shahnawaz Khan: The hon. Member knows very well that we are producing 10,000 wagons annually and we hope that in the course of the next three or four years, this wagon shortage will be a thing of the past.

EXPLORATORY TUBE-WELLS IN BOMBAY

***1048. Shri Dabhi:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether the Central Committee appointed for the selection of places for the boring of exploratory tube-wells in different States has submitted its report or made its recommendations; and

(b) if so, which are the places in Bombay State selected for the purpose?

The Minister of Food and Agriculture (Shri Kidwai): (a) The Committee

has so far made recommendations in respect of Narbada Valley in Madhya Pradesh and Bhopal, Tapti Valley in Bombay and Purna Basin in Madhya Pradesh.

(b) Sites provisionally selected by the Committee in Tapti Valley (Bombay) are Raver, Savda, Yaval, Adavad, Savalda, Torkhed, Toloda, Jhiriwada, Sankheda and Jalgaon (Mamurabad).

Shri Dabhi: May I know whether there are places still to be selected?

Shri Kidwai: These are the places that have been selected.

Shri Dabhi: May I know who bears the cost of these exploratory tube-wells?

Shri Kidwai: It is part of the programme according to the agreement under the technical aid scheme. Part of it is met by the Government of India.

Shri Dabhi: When will the work of boring tube-wells begin?

Shri Kidwai: I hope it will begin in November.

Shrimati Renu Chakravartty: May I know if this Central Committee has selected soil strata of different qualities for exploratory tube-wells, and if so, what are the various categories of the soil strata so examined?

Shri Kidwai: If the hon Member so desires, I can send her the report of the soil strata examination. But that was done long ago and this committee is reviewing it at different places.

Shri Thimmaiah: May I know whether these tube-wells are to be sunk by Government themselves or the sinking is entrusted to private concerns?

Shri Kidwai: The tube-wells are to be sunk by the Government themselves. They are setting up an organisation to undertake this work.

TOURIST TRAFFIC

***1049. Dr. Ram Subhag Singh:** Will the Minister of **Transport** be pleased to state:

(a) whether Government propose to draw up a co-ordinated scheme for the development of tourist traffic in India; and

(b) if so, whether Government propose to include it in the Five Year Plan?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). Yes. The State Governments have been requested to make a detailed study of the tourist centres in their regions and to indicate to the Central Government the improvements that are required to be effected in the near future. On receipt of the recommendations of the State Governments the position will be examined, and a co-ordinated scheme evolved for the Second Five Year Plan.

Dr. Ram Subhag Singh: By what time do Government expect to receive information from the State Governments? In formulating the development plans of tourist trade, will care be taken to ma ntain the tradition of the centres of tourism?

Shri Alagesan: Sir, we nave addressed the State Governments in April and we hope to have their replies. We propose to have the scheme evolved well in time for inclusion in the Second Five Year Plan. The latter question I was not very well able to understand. Evidently he wants that the standards that have been maintained so far in our offices should be maintained. I think that will be done.

Dr. Ram Subhag Singh: Recently it has come to our notice that tourists visit the Jain and Hindu temples at Ellora with shoes on. May I know whether the State Governments have been asked to send their recommendations to maintain the traditions of these places?

Mr. Speaker: Order, order. I think he is going beyond the proper jurisdiction of the Ministry. Monuments are

the charge of the Archaeological Department. It is for them to take action.

Shri A. M. Thomas: Is it a fact that regional officers have been appointed in certain States and if so, why Travancore-Cochin, one of the beauty spots in India, has been omitted?

Shri Alagesan: The regional officers are not for the various States. We are having our tourist offices and the regional tourist officers are working in the large cities of Bombay, Calcutta, Madras and Delhi. We have also opened additional tourist offices in places like Agra and Banaras. We propose to open offices in places like Jaipur Darjeeling and Ootacamund. We recently opened an office in Bangalore also.

INDIAN SHIPPING COMPANIES

***1050. Shri Jhulan Sinha:** Will the Minister of **Transport** be pleased to state whether it is a fact that the Indian Shipping companies have been slowly and steadily raising their freight charges?

The Deputy Minister of Railways and Transport (Shri Alagesan): No, Sir.

Shri Jhulan Sinha: May I know the rate of freight per ton per 100 miles during the last three years to be able to find out whether there has been an actual rise or not?

Shri Alagesan: I may not be able to give the details, but I can give a general information. A general reduction of 10 per cent. was effected in May, 1950 and again the cut was restored in January, 1951. The rates were increased by 15 per cent. from May, 1951, that is, more than three years back. From that date there has been no increase, but there have been some reductions.

Shri Jhulan Sinha: May I know if this increase of 15 per cent. has in any way prejudicially affected the development of Indian shipping industry?

Shri Alagesan: No such thing has come to our knowledge. When any hardship as regards these freights is felt, the trade is free to raise it. Really, the Director-General, Shipping, has, on one or two occasions in the past, gone into the matter and solved the question to the satisfaction of both parties.

THE INDIAN AIRLINES CORPORATION

***1051. Shri Krishnacharya Joshi:** Will the Minister of **Communications** be pleased to state:

(a) whether the Technical, the Financial and the Service Committees appointed by the Indian Airlines Corporation have submitted their reports;

(b) if so, what are their main recommendations; and

(c) whether Government have taken any decisions thereon?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) to (c). The Services Committee has submitted its report to the Corporation. Copies of this report are available in the Library. It is for the Indian Airlines Corporation to examine the recommendations made in this report and they are doing so.

The Technical and the Finance Committees have submitted interim reports to the Corporation. The recommendations made in these reports and the action taken on them by the Corporation are summarised in the statement which I lay on the Table. [*See* Appendix VI, annexure No. 50.]

With the setting up of the Central Office of the Corporation, the work of these two Committees has been taken over by the departmental heads and the Committees have been dissolved by the Corporation.

Shri Krishnacharya Joshi: May I know what is the technical advantage and economy in abolishing Hyderabad as a main operational base?

Shri Raj Bahadur: As a matter of fact we have to depend on the advice given to us by technical experts. They take into account the principal places from which the traffic emanates,

the convenience of maintaining engineering basis and other things.

Shri Krishnacharya Joshi: May I know whether an assurance was given that after the integration the services then in operation would be continued, and if so, why in spite of this, some of the offices have been discontinued?

Shri Raj Bahadur: There has been no retrenchment as such.

Shrimati Renu Chakravartty: May I know if the Services Committee's report recommends a big drop in the scale of pay of radio operators, and if so, what is the position?

Shri Raj Bahadur: The Services Committee which has on it an experienced High Court Judge, took into account the scales of salaries for pilots in various airlines which integrated into the Corporation, and they have tried to evolve a formula which may be acceptable to all and which may give justice to all grades and sections of pilots. That is where we stand.

MURMAGOA-POONA RAILWAY ACCIDENT

*1052. **Sardar A. S. Saigal:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that in the Murmagoa-Poona through Bogey attached to the Murmagoa-Londa Passenger Train, one passenger was killed and five others were seriously injured due to the falling of a boulder on the carriage;

(b) how this occurred; and

(c) whether proper precautions were not taken?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) and (b). At about 19·50 hours on 19th June 1954 while No. 982 Dn. passenger was passing through a cutting between Dudh Sagar and Caranzol stations on the Murmagoa-Londa Metre Gauge Section of the Southern Railway, a boulder fell from the cutting on the roof of the Murmagoa-Poona through coach on the train and piercing through the roof, fell into the compartment. Five persons were seriously injured, of whom one died in the hospital. Four other persons received minor injuries.

(c) The tunnels and cuttings are regularly inspected by the Engineering Staff and necessary precautions are always taken.

सरदार ए० एस० सहगल : यदि आपका इंजिनियरिंग स्टाफ ठीक तरह से देखता है तो फिर यह एक्सीडेंट कैसे हो गया ?

श्री शाहनवाज खां : जैसा कि मैं ने पहले अर्ज किया इस एक्सीडेंट की खास वजह यह थी कि एक बहुत गहरे कटान के बीच में से गाड़ी जा रही थी, और जब वह जा रही थी तो ऊपर से एक पत्थर अचानक गिर गया ।

LOCOMOTIVES FOR INDIA

*1053. **Sardar Hukam Singh:** Will the Minister of **Railways** be pleased to state:

(a) the number of locomotives that are required to meet India's immediate needs;

(b) the number of locomotives that India would require annually for a proper functioning of railways; and

(c) when Government hope to be in a position to meet all our demands locally?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) It is estimated that about 9,200 locomotives in good serviceable condition are required to meet the immediate requirements of Indian Railways. Of this number, about 8 400 are at present available in service.

(b) Including replacements and the additions required to cope with expected traffic increases, it is estimated that an average of about 450 new locomotives would be needed annually for the proper functioning of Indian Railways.

(c) This will depend upon the pace at which demands increase.

Sardar Hukam Singh: How do the prices of locomotives of similar specifications imported and of indigenous production compare with each other?

Shri Alagesan: As far as prices are concerned, the particulars have been given several times on the floor of this House. The broad gauge locomotives that we are importing from Japan cost Rs. 5·25 lakhs and those from Germany, Austria, Italy and North America cost Rs. 5·5 lakhs. Our prices are a little more because we have not yet reached the target of production in Chittaranjan; it may be about Rs. 6 lakhs.

Sardar Hukam Singh: May I know whether we have been able to assess the durability and service-utility of our engines during this short period, and if so, how do they compare with the durability and service-utility of imported locomotives?

Shri Alagesan: In fact, these imports are made according to our specifications. These specifications have been evolved in India and the foreign manufacturers are asked to make these locomotives to our specifications. These engines have been found to be very very satisfactory.

GANGA BRIDGE AT MOKAMEH

*1054. **Pandit D. N. Tiwary:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the majority of works being done at present for Mokameh-ghat bridge are being executed departmentally;

(b) if so, whether it is cheaper than getting it done on contract basis; and

(c) whether it is a fact that the works for which tenders were called for and received have not been let out and are being done departmentally?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No, Sir.

(b) and (c). Do not arise.

Pandit D. N. Tiwary: May I know whether in 1952-53 no work was done departmentally there?

Shri Alagesan: Departmentally also some works are being done and some works for which tenders are invited are also entrusted to contractors; it is both ways.

Pandit D. N. Tiwary: May I know the percentage of the works done departmentally and the percentage of works done through contractors?

Shri Alagesan: I may not be able to give the percentage but I may say that it has been decided to carry out earth works and closure bund departmentally.

Pandit D. N. Tiwary: May I know whether it is cheaper to do work by contract or whether Government saves some money by doing work departmentally?

Shri Alagesan: It cannot be said one way or the other. It depends on each case.

Shri Bhagwat Jha Azad: When this scheme was to be taken up at Mokameh-Ghat materials worth a crore of rupees were taken there. May I know whether it is a fact that these railway materials worth a crore of rupees have rotted at the site of this bridge?

Shri Alagesan: I could not quite follow the question.

Mr. Speaker: Whether it is a fact that railway materials are rotting at the site of the work on account of exposure to sun and rains?

Shri Alagesan: It cannot be, Sir. I think we have incurred an expenditure of Rs. 75 lakhs. We have asked for stores to be collected; they have been brought there and I do not think the stores rot.

AIR SERVICES

*1055. **Shrimati Tarkeshwari Sinha:** Will the Minister of **Communications** be pleased to state:

(a) whether it is proposed to replace the 'Viking aircraft' by 'Skymasters' on the Bombay-Calcutta service; and

(b) if so, the additional cost involved in the replacement?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) The Viking aircraft which were operating on the Bombay-Calcutta service were replaced by Skymasters with effect from the 31st July 1954.

(b) The extra operating cost will be Rs. 500 per hour.

Shrimati Tarkeshwari Sinha: May I know where the Viking aircraft that we so released to which route they have been diverted?

Shri Raj Bahadur: They should have been taken on the Delhi-Karachi; Delhi-Calcutta and other routes.

Shrimati Tarkeshwari Sinha: May I know if the Dakotas that were operating on those routes will still be maintained?

Shri Raj Bahadur: Of course, they will be maintained and they are maintained.

Shrimati Tarkeshwari Sinha: May I know whether one of the Skymasters has been requisitioned by the Government of India for service in Indo-China and for how long has that been taken by the Government?

Shri Raj Bahadur: I cannot give the number of such flights performed but these Skymasters are open to non-scheduled flights.

LABOUR IN CEMENT INDUSTRY

*1057. **Shri H. N. Mukerjee:** Will the Minister of **Labour** be pleased to state:

(a) whether it is a fact that the contract labour system still prevails in the cement industry;

(b) if so, whether any steps have been taken to abolish it; and

(c) what is the wage structure in the Cement industry?

The Minister of Labour (Shri K. K. Desai): (a) Yes, to some extent; particularly in the case of quarry, loading and unloading labour.

(b) The matter was discussed at the second session of the Industrial Committee on Cement held on the 24th and 25th March 1954. An unanimous agreement was reached that contract labour should be abolished by the 30th June 1956 in the Cement industry in any occupation connected with the manufacturing process including quarry operations. The agreement required setting up of a sub-Committee to study the difficulties involved in the abolition of contract labour in the case of loading and unloading operations and to work out the piece-rate system applicable to labour employed on contract work. The sub-Committee is being set up.

(c) Standardisation Boards are being set by the States concerned to standardise the wages in the cement industry.

Shri H. N. Mukerjee: By what time does Government expect to fully give effect to the recommendations of the tripartite committee regarding abolition of the contract system?

Shri K. K. Desai: As I have already stated in my answer, it is to be abolished by June 1956.

Shri T. B. Vittal Rao: May I know the reasons for the delay in setting up a sub-committee because it is already five months since a decision was taken at the Industrial Committee for the cement industry?

Shri K. K. Desai: Because we have got to consult the interests concerned. Two representations were received from the employers and the employed and they are being considered.

EMPLOYMENT EXCHANGES

*1058. **Shri S. C. Singhal:** Will the Minister of **Labour** be pleased to lay a statement on the Table of the House showing:

(a) the number of persons registered every month with the Employment Exchanges from the 1st April to 31st July, 1954;

(b) the number of persons registered with Employment Exchanges during the corresponding months of 1953; and

(c) the number of persons who were provided with employment by the Employment Exchanges during the above periods?

The Minister of Labour (Shri K. K. Desai): (a) to (c). A statement is placed on the Table of the House. [*See* Appendix VI, annexure No. 51.]

Shri S. C. Singhal: In the statement it is given that for the year 1953 from April to July, the number of registrations was five lakhs nearly and the number of placements effected was 63,000. For the year 1954, from April to July, the number of registrations was 5,26,000 and the number of placements effected was 37,000. In this way unemployment is increasing very rapidly. May I know from the Minister whether there is any scope to create more opportunities for employment?

Shri K. K. Desai: The Planning Commission has looked into this question. In the next Five Year Plan opportunities for employment will be created by decentralisation of industrial production in this country to the extent practicable in the context of our country.

Shri S. C. Singhal: What are the plans at present?

Shri K. K. Desai: At present, whenever the registration is made and whenever placements are possible the exchange is helping them to get the placements without any loss of time. That is all that can be done just at the present.

Shri S. C. Singhal: What are the steps which an exchange is expected to take on receipt of an application?

Shri K. K. Desai: There is no question of any application. When a labourer gets himself registered in the labour exchange, if there is any placement, the labour exchange informs the applicant that a particular place is available and he will be sent there.

LANDLESS LABOURERS

*1059. **Shri Bibhuti Mishra:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether it is a fact that Government have asked the State Government to submit concrete schemes for giving lands to landless labourers; and

(b) if so, the names of the States who have submitted their schemes?

The Minister of Food and Agriculture (Shri Kidwai): (a) Yes.

(b) Uttar Pradesh.

श्री बिभूति मिश्र : उत्तरप्रदेश में कितने बेजमीन वालों को जमीन मिलेगी और प्रत्येक यूनिट अगर पांच आदमियों का माना जाय तो कितने बेजमीन वालों को बसाया जायेगा ?

श्री किदवई : उत्तरप्रदेश गवर्नमेंट ने एक तजवीज भेजी है कि वह दस हजार एकड़ जमीन तोड़ कर वहां बेजमीन वालों को बसायेंगे और उसके खर्च का अन्दाजा दिया है, जब वह स्कीम मंजूर हो जायगी तब वहां पर बसने वालों की तादाद मालूम हो सकेगी।

श्री बिभूति मिश्र : क्या इसमें विनोबा जी की जमीन शामिल रहेगी या गवर्नमेंट आलग से उसके लिये जमीन देगी ?

श्री किदवई : विनोबा जी की जमीन जो उत्तरप्रदेश में है वह उत्तरप्रदेश की गवर्नमेंट की जमीन है, लेकिन यह जमीन दूसरी है।

श्री बिभूति मिश्र : क्या सरकार ने....

Mr. Speaker: Order, order. Dr. Ram Subhag Singh.

डा० राम सुभग सिंह : क्या तमाम राज्य सरकारों से यह सूचना भेजने के लिये यहां केन्द्र से कोई सरकुलर भेजा गया था और यदि हां, तो कबतक बाकी सरकारें इस बात के लिये अपने सुझाव भेजेंगी ?

श्री किदवई : मुझे यह भी नहीं मालूम कि हर सरकार इस बात के लिये सोच रही है, लेकिन अभी त्रावनकोर कोचीन के चीफ मिनिस्टर साहब आये थे, उन्होंने कहा कि उनके यहां कुछ जमीन खाली है और वह कोई ऐसी चीज तैयार कर रहे हैं । जहां तक हमारा ताल्लुक है जब हमने यह तय किया कि जम्मू में एक फार्म खोलें जिसमें बेजमीन वालों को बसायें, उसी वक्त तमाम स्टेट्स से यह कहा गया था कि अगर आप लोगों के यहां ऐसी जमीन हो तो हम ऐसा काम करने को सोच सकते हैं ।

Shri K. K. Basu: May I know when the State Governments were asked to submit schemes on this problem, and why excepting Uttar Pradesh, no other States have submitted any scheme?

Shri Kidwai: I think I have already answered this question.

Mr. Speaker: He wants to know why no other State except U.P. has submitted any scheme.

Shri Kidwai: Because no other State has either got lands or other States do not perhaps think this to be the pressing question there.

UNAUTHORISED WIRELESS TRANSMITTERS

***1060. Shri Nageshwar Prasad Sinha:** Will the Minister of **Communications** be pleased to state:

(a) whether it is a fact that unauthorised wireless transmitters have been recently recovered from a gang of speculators, engaged in transmitting market rates to other towns;

(b) if so, what are the details; and

(c) how many arrests have been made so far?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) to (c). Information so far received covers only a few of the States. Full information is, therefore, not readily available. A statement showing detailed information will be laid on the Table of the House in due course.

Shri Nageshwar Prasad Sinha: May I enquire whether these transmitters are not being used for the purpose of espionage?

Shri Raj Bahadur: As I stated, full information has not been collected; so far as the State of Delhi is concerned, on a previous occasion I have furnished some information to the House and that is at the disposal of the House. From the other States of Assam, Coorg, Hyderabad, Madhya Bharat and Saurashtra—we have received information that no such transmitters have been seized. The question whether they are used for espionage purposes or not should be addressed to the Ministry of Home Affairs.

STORES PURCHASE POLICY

***1062. Shri Bahadur Singh:** Will the Minister of **Food and Agriculture** be pleased to state what action Government have taken against the officials responsible for the heavy losses which have resulted from the imprudent policy in the matter of purchase of tractors, stores and surplus spare-parts as reported by the Estimates Committee in their Seventh Report?

The Minister of Food and Agriculture (Shri Kidwai): The 7th Report of the Estimates Committee on the working of the Central Tractor Organisation has been examined in detail by the Central Tractor Organisation and a senior officer in the Secretariat. They have made certain proposals, which are at present under the consideration of Government. It is expected that final decisions will be taken in the course of the next few weeks. It is proposed to place on the Table of the House a detailed statement of the action taken or proposed to be taken.

Shri Bahadur Singh: May I know whether purchases by placing *ad hoc*

indents have been discontinued or any long-term policy of purchases has been evolved?

Shri Kidwai: I did not follow the question.

Mr. Speaker: He wants to know whether any long-term policy of purchase has been evolved.

Shri Kidwai: We purchase whatever we require immediately. As the reclamation work has now diminished, perhaps we will not require many new purchases.

Shri Bahadur Singh: What is the value of service spare parts, equipment stores and other accessories lying with the Government at present?

Shri Kidwai: Obviously, I will require notice of this question.

Shri T. N. Singh: May I know whether it is a fact that the Chairman of the C.T.O. himself went abroad to make purchases and heavy purchases were made which were later on found to be surplus?

Shri Kidwai: I think the hon. Member knows what took place before the Estimates Committee, and we have all read the report of the Estimates Committee.

पंचवर्षीय योजना के अन्तर्गत स्वास्थ्य योजनाएं

*१०६३. **श्री मगन लाल बागड़ी:** क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगी कि :

(क) पंचवर्षीय योजना के अन्तर्गत स्वास्थ्य के सम्बन्ध में १०३ करोड़ रुपये की जो राशि रखी गई है उसमें से केन्द्र तथा राज्यों की स्वास्थ्य योजनाओं पर अब तक कितना खर्च हुआ है; और

(ख) इस सम्बन्ध में अब तक कितनी प्रगति हुई है ?

The Minister of Health (Rajkumari Amrit Kaur): (a) and (b). The information is being collected and will be laid on the Table of the House in due course.

श्री मगन लाल बागड़ी : मध्य प्रदेश के अन्दर सब से ज्यादा मौत मलेरिया से होती हैं, इस के लिये क्या इन्तजाम किया जा रहा है ?

राजकुमारी अमृतकौर : मध्य प्रदेश में मलेरिया की यूनिट्स काफी हैं और वह वहां काम कर रही हैं ।

Shrimati A. Kale: May I know whether these plans include schemes for family planning, and if so, how much money has been set apart for this purpose?

Rajkumari Amrit Kaur: I have answered that question several times before. Rs. 65 lakhs have been set aside for this purpose.

MANURIAL EXPERIMENTS ON PADDY

*1064. **Shri B. K. Das:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) the names of the States and the number of centres in which the manurial experiments on paddy under the Indian Council of Agricultural Research scheme have been carried on;

(b) the results obtained from these experiments; and

(c) whether these results have been taken advantage of by the different States by their actual application in the fields?

The Minister of Food and Agriculture (Shri Kidwai): (a) to (c). A brief note is laid on the Table of the House. [*See* Appendix VI, annexure No. 52.]

Shri B. K. Das: May I know the duration of the scheme?

Shri Kidwai: It depends upon the satisfactory nature of the results. Initially the schemes are sanctioned for a period of six months or one year, at the time they are required, and they are extended, if they progress well.

Shri B. K. Das: It is stated in the note supplied that the results achieved up to 1950 have been included in the Council's Bulletin No. 38. May I know whether any new lines of research or experiments have been taken on hand since 1950?

Shri Kidwai: I have not got the report before me, but I hope so.

Shri B. K. Das: From the report of the Indian Council of Agricultural Research for the year 1951-52, it appears that the same manures and fertilizers have given different results in these three parts of West Bengal, namely, Chinsura, Bankura and Suri. May I know whether this is due to the different soil conditions, and if so, whether the different soils of these parts have been examined, in order that the cultivators may obtain better results?

Shri Kidwai: That is obviously the result of the experiment. If the same manure gives different results, it is due to the difference in the soil conditions.

SALE OF POSTAL ARTICLES

*1067. **Th. Lakshman Singh Charak:** Will the Minister of **Communications** be pleased to state the sale proceeds from the post cards, envelopes and stamps during 1952-53 and 1953-54?

The Deputy Minister of Communications (Shri Raj Bahadur):

1952-53 :	Rs. 22,15,14,061	(Rupees Twenty two crores fifteen lakhs fourteen thousand and sixty one only).
1953-54 : (upto March, 54 Supplementary I Accounts)	Rs. 23,51,65,119	(Rupees Twenty three crores fifty one lakhs sixty five thousand one hundred and nineteen only).

Th. Lakshman Singh Charak: May I know how these amounts compare with the sale proceeds in the pre-Partition days?

Shri Raj Bahadur: I will not be able to give the pre-Partition figures. So far as the figures for the post-Partition period are concerned, they range as follows:

	Rs. crores
1948-49	17·42 ,,
1949-50	19·24 ,,
1950-51	20·68 ,,
1951-52	21·33 ,,
1952-53	22·15 ,,
1953-54	23,51,65,119.

Th. Lakshman Singh Charak: Out of these Rs. 23 crores, how much do Government earn on the express delivery service?

Shri Raj Bahadur: I cannot say that, because I have not got the figures in regard to the revenues from express delivery postage separately.

Shri Dabhi: May I know the profit or loss per article, with regard to each of these categories of articles?

Shri Raj Bahadur: That is a very difficult question, because I shall have to give information for each and every kind of postal item. On postcards, the cost, as we know, is 13·1 pies or something like that, while the price of the postcard is 9 pies. So there is a loss of about 4·1 pies. We are losing heavily on the newspapers, we are losing heavily also on registered articles, and we are losing heavily also on money orders and so on.

Shri Jangde: What are the total sale proceeds in respect of service stamps, during the year 1953-54?

Shri Raj Bahadur: Rs. 3,84,17,314.

TREATED AND REINFORCED TIMBER

*1068. **Dr. Satyawadi:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) the result of the research in the "treated and reinforced timber" going

on in the Forest Research Institute, Dehra Dun; and

(b) what is their cost?

The Minister of Food and Agriculture (Shri Kidwai): (a) Some of the experiments on impregnation of wood with synthetic resins, lamination, compregnation etc. have been successful. The results so far obtained have been published in the Indian Forest Bulletin No. 168 entitled "Wood Preservation in India", which is available in the Lok Sabha Library.

(b) The cost of preservative treatment varies between Rs. 3/6/- and Rs. 5/8/- per cu. ft. depending on the type of timber and other factors.

डा० सत्यवादी : क्या मैं जान सकता हूं कि इस तहकीकात के नतीजे से अवाम को फायदा पहुंचाने के लिये क्या कुछ किया जा रहा है ?

श्री किदवई : अवाम को फायदा पहुंचाने के लिये ही रिसर्च हुई है और यह तरीका निकला है जिस से लकड़ी ज्यादा दिन तक चलती है ।

CO-OPERATIVE PROBLEMS

***1071. Shri C. R. Chowdary:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether a separate unit has been set up in the Ministry for dealing with Co-operative Problems of all-India importance; and

(b) if so, what are the problems that will be entrusted to this unit?

The Minister of Food and Agriculture (Shri Kidwai): (a) One small unit is being set up in the Ministry to attend to Co-operative Problems of All-India importance.

(b) The problems relate to central co-ordination, guidance and financial and technical assistance to the Co-operative Movement in the country.

Shri C. R. Chowdary: May I know whether any directive has been issued to the States to set up like units at the State level?

Shri Kidwai: Every State has got a Co-operative Department. It was lacking only in the Centre, and it is being constituted now.

Shrimati Tarkeshwari Sinha: May I know whether the question of the establishment of a rural co-operative marketing corporation will also be taken up by this Department, in view of the recommendation of the Reserve Bank of India?

Shri Kidwai: It can do something, after it has come into existence. It is yet to come into existence.

CO-OPERATIVE ORGANISATIONS

***1072. Shri Gadilingana Gowd:** Will the Minister of **Food and Agriculture** be pleased to refer to the reply given to a supplementary question arising out of the reply given to starred question No. 1111 asked on the 17th March, 1954 and state whether any report has been received from the Andhra Government regarding the utilisation of services of co-operative organisations to implement various Schemes contained in the Five Year Plan?

The Minister of Food and Agriculture (Shri Kidwai): Yes, Sir.

Shri Gadilingana Gowd: May I know whether the reports from the various States will be placed on the Table of the House?

Shri Kidwai: I will certainly place them on the Table of the House.

Shri Gadilingana Gowd: From the evaluation report of the Planning Commission, I find that in the Andhra State, the Co-operative Department is not cooperating with the community project officers in implementing the schemes for co-operative societies.....

Mr. Speaker: Order, order. That is not a question.

Shri Gadilingana Gowd: How is this Government going to implement its schemes under the Five Year Plan? That is the information I want. How are they going to implement their

schemes in the States, if the latter do not co-operate?

Shri Kidwai: I think the Constitution provides the method by which State Governments can be forced to co-operate, if the subject is important enough.

Shrimati Tarkeshwari Sinha: May I know whether Government propose to open some centres in the country for training these co-operative personnel?

Shri Kidwai: But the training centres are always opened in the States.

Sardar A. S. Saigal: On an all-India basis?

कर्मचारी राज्य बीमा योजनाएं

*१०७३. **श्री एम० एल० द्विवेदी :** क्या श्रम मंत्री यह बताने की कृपा करेंगे कि कर्मचारी राज्य बीमा योजना के खर्च में केन्द्र तथा राज्य सरकारों का हिस्सा किस प्रकार निर्धारित किया गया है ?

The Minister of Labour (Shri K. K. Desai): Under the Employees' State Insurance Act, 1948, the Central Government are responsible for meeting two-thirds of the administrative expenses of the scheme during the first five years. The State Governments and the Employees' State Insurance Corporation share the cost of providing medical benefits to insured workers in an agreed ratio, which is at present 1:3.

श्री एम० एल० द्विवेदी : मैं यह जानना चाहता हूं कि किन किन राज्यों में अभीतक इस स्कीम के अन्दर कितने कितने स्थान खोले जा चुके हैं ?

Shri K. K. Desai: The scheme has been applied to Delhi, Kanpur and seven industrial centres in Punjab, covering 78,932 persons in Delhi, 1,47,986 persons in Kanpur and 58,117 in Punjab.

श्री एम० एल० द्विवेदी : इसके हर केन्द्र के खोलने का शुरू का खर्चा कितना होता है और चालू रहने वाला खर्चा कितना होता है ?

Shri K. K. Desai: I require notice.

Shri K. K. Basu: May I know why this scheme has not been applied to other industrial centres in the country?

Shri K. K. Desai: I think the hon. Member knows that the scheme has to be inaugurated in co-operation with the State Governments. Certain preliminaries have to be gone through with the State Governments and early in 1955 the scheme will be introduced in Bengal and probably on the 6th October, 1954 the scheme will be introduced in Greater Bombay, which will cover nearly 60 per cent. of the employees covered by the scheme.

Shri M. D. Ramasami: May I know what progress is made in the implementation of this scheme in Madras State?

Shri K. K. Desai: Still we are in correspondence with the Government of Madras about the time at which they will be in a position to take up the scheme for introduction.

Turmeric and Oilseeds Research Stations

*1074. **Shri Raghuramaiah:** Will the Minister of **Food and Agriculture** be pleased to refer to reply to unstarred question No. 1231 asked on the 23rd March, 1954 and state:

(a) when a Turmeric Research Station and an Oil Seeds Research Station will be established in Andhra State;

(b) the names of the places where these stations will be located; and

(c) the details of the schemes in both the cases?

The Minister of Food and Agriculture (Shri Kidwai): (a) A scheme to set up a Turmeric Research Station has been sanctioned but it has not started functioning so far.

An Oilseeds Research Station has already been set up in Andhra State with effect from 13th June 1954.

(b) The exact location of the Turmeric Research Station is not yet known. It will, however, be located in Guntur District of Andhra State.

The Oilseeds Research Station has been established at Anantapur in Rayalaseema in Andhra State.

(c) A statement is placed on the Table of the House. [*See* Appendix VI, annexure No. 53.]

Shri Raghuramaiah: So far as the Turmeric Research Station is concerned, may I know whether the selection is to be made by an officer of the Central Government or whether it is a matter entirely within the discretion of the State Government?

Shri Kidwai: It is a matter relating to the Central Government.

Shri Raghuramaiah: Since many months have passed in this matter, how soon is a decision likely to be taken?

Shri Kidwai: In the reply given to the last part of the question put last time, it was stated that the Station would start functioning in 1954-55.

INDO-U.S. TECHNICAL CO-OPERATION PROGRAMME

*1075. **Shri Kasliwal:** Will the Minister of Railways be pleased to state:

(a) whether any global tenders have been invited for the supply of one hundred broad-gauge locomotives, two thousand five hundred. (2,500) metre gauge and two thousand five hundred (2,500) broad-gauge wagons which are to be acquired under the Indo-U.S. Technical Co-operation Programme; and

(b) if so, the name of the country from which the successful tender has been accepted?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes, in Washington by the Foreign Aid Organisation.

(b) This information is not yet available.

Shri Kasliwal: May I know if it is a fact that Japan quoted the lowest tender and the United States of America quoted the highest tender for this equipment?

The Minister of Railways and Transport (Shri L. B. Shastri): Yes, that is so.

Shri Kasliwal: May I know if it is a fact that the supply of this equipment has now been split up between Japan and U.S.A. in spite of the fact that Japan quoted the lowest tender, and if so, is it a fact that because of the splitting up of this tender, instead of $20·00 million, the equipment will cost $27·00 million?

Shri L. B. Shastri: We are not concerned and we are not interested whether the rolling stock—locomotives or wagons—are manufactured in Japan or U.S.A. or any other country. We are interested in the number. The U.S.A. had allotted 100 locomotives and 5,000 wagons to us and we are quite certain that the same number will be supplied to us—whether they are manufactured in U.S.A. or any other country.

Shri Kasliwal: In view of the fact that the U.S. Congress has not yet appropriated $7·00 million towards this equipment, may I know which country will bear this?

Mr. Speaker: He wants to know which country will bear the extra $7·00 million.

Shri L. B. Shastri: The U.S.A. will bear the cost. It is for them to decide; we are hardly concerned.

Shri Thimmaiah: Under this programme, are we getting any 'streamline' passenger locomotives?

Shri Alagesan: These are W.G. type locomotives, *i.e.* for goods trains.

TICKETLESS TRAVEL

*1076. **Shri T. B. Vittal Rao:** Will the Minister of **Health** be pleased to to refer to the reply to starred question No. 187 asked on the 27th August, 1954 and state:

(a) whether it is a fact that the expenditure incurred in connection with the 'Special Drives' for detection of ticketless travellers is much more than the amount realised from ticketless travellers; and

(b) if so, whether the Railway Board have devised any other means to prevent passengers travelling without tickets?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) No.

(b) Does not arise.

Shri T. B. Vittal Rao: Could we know the percentage of cases of ticketless travel detected to the total number of passengers?

Shri Shahnawaz Khan: We have not got that percentage.

Shri R. K. Chaudhuri: Is it a fact that in some railways persons who do not have tickets get their seats inside the compartment whereas persons who have tickets have to go to the roofs?

The Minister of Railways and Transport (Shri L. B. Shastri): On the North Eastern Railway and in Assam perhaps!

Shri Velayudhan: In order to discourage ticketless travel, is any new device being employed by Government after the team has gone to Russia and come back after studying new methods?

Shri Shahnawaz Khan: Although we have not found out any very surprisingly new methods, the thing that we are doing is to intensify the checks by the travelling ticket examiners. We have appointed special railway magistrates to travel in trains and to inflict very heavy penalties on those who travel without tickets.

Shri Syed Ahmad: May I put a question?

Mr. Speaker: Next question.

TREATMENT OF LEPROSY

*1077. **Shri Bhagwat Jha Azad:** Will the Minister of **Health** be pleased to state what arrangements have been made by Government for the treatment of leprosy under the Leprosy Control Scheme which is included in the first Five Year Plan?

The Minister of Health (Rajkumari Amrit Kaur): A statement is laid on the Table of the House. [*See* Appendix VI, annexure No. 54.]

Shri Bhagwat Jha Azad: The statement says that the States concerned have been requested to establish centres with effect from the 1st July. May I know which are the State Governments which have established the centres allotted?

Rajkumari Amrit Kaur: I have not yet received any information from the States in spite of reminders.

Shri Bhagwat Jha Azad: Am I to understand that after the expiry of three years of the Five Year Plan, not a single State has opened such centre for controlling leprosy?

Rajkumari Amrit Kaur: I am not so pessimistic. We have reminded the States and I think they will take action fairly soon.

Shri Dhulekar: Have Government passed any executive orders to the effect that all lepers found in the streets be directed to go to certain asylums or camps for treatment?

Rajkumari Amrit Kaur: No directive of that kind can be issued by the Centre. The States have been asked to see what they can do in the matter.

Shri A. M. Thomas: May I enquire whether Government have given aid

to any non-official agencies like the Salvation Army in connection with this, and if so, what amount?

Rajkumari Amrit Kaur: Government have given aid to non-official agencies. I have not got the exact figures, but all non-official agencies are being helped.

डाक व तार विभाग के लेखे

*१०७८. **श्री भक्त दर्शन :** क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि डाक व तार विभाग की डाक शाखा को १९५३-५४ में प्रत्याशित घाटे के स्थान में लाभ हुआ है; और

(ख) यदि हां, तो इसके क्या कारण हैं ?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Yes. The accounts upto March, 1954 Supplementary (I) have revealed a profit of Rs. 7·6 lakhs on the working of the Postal Branch, for the year 1953-54 against a deficit of Rs. 78 lakhs anticipated in the Budget for that year.

(b) The profit is mainly due to increase in Traffic resulting in larger sale of stamps, saving in expenditure on contingencies and payments for carriage of mails.

श्री भक्त दर्शन : क्या मैं जान सकता हूं कि यह जो अप्रत्याशित लाभ हुआ है इसको खर्च करने के लिये कोई योजना बनायी गयी है ?

श्री राज बहादुर : यह अप्रत्यक्ष लाभ तो नहीं कहा जा सकता । लाभ तो प्रत्यक्ष है । यह हो सकता है कि अन्त में जो आंकड़े आवें तो उसमें यह काम कुछ बढ़ या घट, लेकिन यह निश्चय बात है कि जो खर्च करने की योजना है वह बजट में होती है और बजट के अलावा डिटेल्ड एस्टीमेट्स में होती है । आमदनी के इस इजाफे के ऊपर तो वह नहीं बनायी जाती ।

श्री भक्त दर्शन : क्या मंत्रिमंडल ने इस बात पर विचार किया है कि यह जो नया लाभ इस विभाग से हो रहा है इसका उपयोग ग्रामीण क्षेत्रों में और अधिक उदारता के साथ डाकघर खोलने में किया जाय ?

श्री राज बहादुर : बहुत तो बिना लाभ के भी खोले जा रहे हैं । जहां तक हो सकता है डाक सेवा प्रत्येक गांव में पहुंचाने की योजना है ।

Central Rice Research Institute

*1080. **Shri Sanganna:** Will the Minister of **Food and Agriculture** be pleased to refer to the reply given to starred question No. 1568 asked on the 5th April, 1954 and state:

(a) whether the committee appointed to investigate the adequacy or otherwise of the establishment and equipments in the Central Rice Research Institute, Cuttack, has submitted its report; and

(b) if so, whether a copy thereof will be placed on the Table of the House?

The Minister of Food and Agriculture (Shri Kidwai): (a) Yes.

(b) The report is under consideration and will be placed on the Table of the House as soon as decisions on the various issues recommended are finalised.

Shri Sanganna: May I know what are the recommendations of the Committee?

Shri Kidwai: They will be published when the Government decision has been taken.

Shri Sanganna: May I know the names of the persons appointed to serve on the Committee?

Shri Kidwai: Dr. Parija, Vice-Chancellor of the Utkal University is the Chairman and B. N. Uppal, Agricultural Commissioner, I.C.A.R. and Kalidas Sahney, Agricultural Adviser in the Rice Research Section of the Planning Commission, are members. Shri Viswanathan, I.A.S., was Secretary. P. G. Salvi was appointed Secretary to the Committee after Viswanathan was transferred.

Shri Sanganna: May I know the probable time when the decision of the Government will be out?

Shri Kidwai: It is difficult to say because so many interests have to be consulted.

Shri S. N. Das: May I know whether the Committee has given any idea of the amount that may be required for the implementation of the recommendations?

Shri Kidwai: That will be known when the Committee's recommendations are published.

HASSAN-MANGALORE RAILWAY LINE

*1081. **Shri Siddananjappa:** Will the Minister of **Railways** be pleased to state the progress so far achieved in the preliminary Survey Works undertaken in regard to the Hassan-Mangalore railway line?

The Deputy Minister of Railways and Transport (Shri Alagesan): Field work of the Traffic Survey is practically over.

90 per cent. work on the Preliminary Engineering Survey in the Plateau Section between Hassan and Sakleshpur has been completed. The photographs of the aerial survey have just been received for further examination. 80 per cent. of the Reconnaissance work on the Mangalore-Sakleshpur section has been done.

Shri Siddananjappa: May I know, Sir, if final location survey is also included in the present work?

Shri Alagesan: That will come later, Sir.

Shri Siddananjappa: May I know if there is any general scheme for the future railway development of this area and, if so whether this present proposal forms part of it?

Shri Alagesan: We are considering the advisability of extending the scope of the traffic survey covering the entire Malnad area and the General Manager of the railway concerned has been advised accordingly.

Shri Basappa: May I know whether the opening of this railway line is intimately connected with the development of backward areas of Malnad and whether it is also true that the hon. Minister of Food and Agriculture, Shri Kidwai inaugurating the Malnad Conference a few months back has assured that the development of the Malnad area will be the first duty of the Government?

Shri Alagesan: The construction of the line will go a great way in the development of the Malnad area.

AIR SERVICES

*1082. **Shrimati Kamlendu Mati Shah:** Will the Minister of **Communications** be pleased to state:

(a) whether it is a fact that the standard of the Air Services in the matter of cleanliness, food and other passengers' comforts has considerably deteriorated since the nationalization of the Air Lines; and

(b) if so, the steps that Government propose to take to restore the pre-nationalization standards in these services?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) No, Sir. I might however add that with the prospect of nationalisation, several of the air companies prior to the 1st August, 1953, did not consider it worthwhile incurring expenses on timely replacement of furnishings etc. in aircraft.

(b) The Corporation has been renewing the furnishings and has also placed orders for new cabin equipment providing for better comfort to the passengers.

Shrimati Kamlendu Mati Shah: Does the Government propose to have any responsible officer to check up by periodical surprise visits the conditions of the aircraft or the services rendered to the passengers thereof?

Shri Raj Bahadur: We have been heir to certain unavoidable conditions which have come down to us from the companies. They did not undertake repairs or replacement of furnishings etc. for a long time because of the impending nationalisation. We are going to replace them gradually; we cannot do that all at once.

Shrimati Kamlendu Mati Shah: Is it proposed that a book of suggestions is to be maintained and that suggestions from the travelling public should be carefully looked into?

Shri Raj Bahadur: They are being looked into very respectfully.

Shri Karni Singhji *rose—*

Mr. Speaker: What does he want to ask?

Shri Karni Singhji: I wanted to put the very same question.

RAILWAY BRIDGES IN ASSAM

*1083. **Shri K. P. Tripathi:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that during floods in Assam, there is not enough drainage channel left under the Railway bridges and culverts for water to flow out;

(b) whether this is one of the causes of the numerous breaches on the Railways and trunk roads; and

(c) the steps, if any, that are proposed to be taken to remove this drawback?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) This may have become so in some cases as, due to deforestation and consequent heavy soil erosion, the beds of many rivers have risen, reducing the waterway through bridges and increasing the high flood levels generally.

(b) It may be a contributory cause but further detailed examination is necessary.

(c) A joint investigation by the North Eastern Railway and the West Bengal Irrigation Department with the assistance of the Hydraulic Research Station is being arranged.

Shri K. P. Tripathi: May I know whether there was any survey conducted before these lines were laid in this part of the country?

Shri Alagesan: Is he referring to the Assam link or what?

Shri K. P. Tripathi: The Assam link plus the entire area which is Assam.

Shri Alagesan: There was a previous question also. Generally surveys are conducted before the construction of any line. But, the House is well aware of the circumstances under which the Assam railway link had to be constructed. Even so, my information is that no damage has occurred to any major bridge on the newly constructed Assam link. Damage occurred to three important bridges on the old portion of the Assam main line.

Shri K. P. Tripathi: May I know whether there are figures to show that during the last five years how many times there have been breaches in this line and for what periods there have been obstruction to traffic?

Shri Alagesan: Sir, it is an unfortunate fact in that region. But the whole question is being tackled by the Centre as well as at State level. In the previous years also there have been breaches and hold-up of traffic for a considerable time. This year also the major breaches can be closed only by the end of October.

Shri K. P. Tripathi: May I know if it is proposed to set up a Committee of Enquiry in order to find out whether the number of culverts are sufficient for the purposes of draining water in this area?

Shri Alagesan: In answer to part (c) of the question, we have already said that a joint investigation by the North Eastern Railway and the West Bengal Government is intended.

RECLAMATION OF LANDS IN THE PUNJAB

*1084. **Shri D. C. Sharma:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) the area of land reclaimed and jungles cleared so far by the Central Tractor Organisation in the Punjab; and

(b) how much land is at the disposal of the Central Government there at present?

The Minister of Food and Agriculture (Shri Kidwai): (a) 13,521 acres have been reclaimed. No jungle clearance has been carried out by the Organisation in the Punjab.

(b) There is no land at the disposal of the Government of India for reclamation purposes.

Shri D. C. Sharma: May I know if the hon. Minister has the break-up of these figures, so far as the different districts of the Punjab are concerned?

Shri Kidwai: I have not got any break-up, because the work was done by the Punjab Government.

Shri D. C. Sharma: May I know if the Government has taken any particular care about those districts where there is the question of erosion?

Shri Kidwai: We have asked for information.

RAILWAY OFFICERS DELEGATION TO U.S.S.R

*1085. **Shri Gidwani:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that a delegation consisting of officers of the Indian Railways visited Soviet Union to study the working of the Russian Railway system;

(b) if so, whether the delegation has returned and submitted its report; and

(c) the nature of the report, if submitted?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes, Sir.

(b) and (c). The Delegation returned to India on 20th August, 1954 and submitted an interim report. The final report is under preparation.

Shri Gidwani: Can the Government give us any recommendation that has been submitted by the Delegation regarding the removal of congestion in the trains and the stoppage of ticketless traffic and the provision of sleeping berths in third class compartments?

Shri Alagesan: Certain interim recommendations made by the Delegation relating to the provision of sleeping berths in third class compartments have been accepted and the details are being worked out.

Shri Alva: In view of the grave railway accident that has occurred only yesterday where the valuable lives of several students were lost, has the Government seen the observation made by the Delegation that the most striking thing about the Soviet Railways is their magnetic and automatic locking arrangements and controls about collision and when do Government mean to fulfil these recommendations in the report?

Shri Alagesan: All the recommendations of the Delegation will be gone into and whatever remedies are possible will be adopted.

Short Notice Question and Answer

MOVEMENT OF FOODGRAINS IN FLOOD-AFFECTED AREAS

S.N.Q. No. 12. Shri P. G. Sen: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the foodgrains booked at Katihar on the 13th August 1954 reached Sonaili (a distance of 11 miles) after 4 days despite the fact that the railway authorities concerned were requested for the speedy movement of foodgrains to the flood-affected areas;

(b) if so, the reasons therefor and the action taken against the officials

responsible for the delay in despatch of the loaded wagon; and

(c) whether any instructions have been issued for expeditious movements of foodgrains etc. by Railways to the flood-affected areas?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). One wagon containing foodgrains booked from Katihar to Sonaili on the 13th August reached destination on the 17th. Of the 39 wagons of foodgrains for flood-affected areas despatched from Katihar during August, this was the only one which suffered detention in the Katihar Yard which holds over a thousand wagons at a time. The matter has been taken up with the two members of the yard staff responsible for it.

The local Railway authorities were not approached by any one for the expeditious despatch of this or any other wagon but the North Eastern Railway administration, on their own, had issued general instructions, to ensure the most speedy transit of wagons containing traffic for the flood-affected areas.

(c) **Yes.**

Shri P. G. Sen: May I know whether the instructions were given before the incident or after it?

Shri Alagesan: These instructions were given much earlier; in fact, they were given on the telephone and then confirmed by telegram.

Shri P. G. Sen: Is it a fact that the General Manager of the North Eastern Railways was approached by the S.D.O., Katihar and Shri Sukh Dev Narayan Singh, M.L.A. at Sonaili station for the expeditious movement of the foodgrains on the 31st July 1954?

Shri Alagesan: I have no information on the question whether a particular Member of Parliament or other person approached the General Manager.

Shri P. G. Sen: The hon. Minister visited the area in connection with the opening of Moolganj line and it was probably on the 1st and then I myself approached the D.T.S. for this purpose.

Shri Alagesan: It is no question.

Shri P. G. Sen: My point is how he says that the authorities were not approached.

Mr. Speaker: The hon. Member says that he approached the Railway authority and wants to know whether it is not a fact.

Shri Alagesan: My point is that the authorities were not approached.

The Minister of Railways and Transport (Shri L. B. Shastri): The report which we have received from the General Manager is that no one approached them and, therefore, we depend upon the reply received from the General Manager.

Shri L. N. Mishra: Are Government aware of the fact that a number of wagons containing clothes and grains sent from Bombay for Jhanjharpur for distribution to the people in the flood-affected areas did not reach the area even after the lapse of 22 days?

Shri Alagesan: I have no information on that point, but I may inform the hon. Member that on a request from the Bombay Citizens' Famine Relief Committee, the Railway Board, as a special case, agreed to grant free transport by parcel or passenger trains, for three wagons or vehicle loads of wheat, flour, fried rice and other foodstuffs from Bombay, but I do not know anything about what the hon. Member is referring to. These are the instructions issued by the Railway Board.

Pandit D. N. Tiwary: Is the hon. Minister aware that the railway authorities do not do anything or take any action but simply say that steps are being taken, and is he aware that no action is being taken on any representation made to them?

Shri Alagesan: I would very respectfully deny the allegation.

Shri L. B. Shastri: I might add one sentence. I received a telegram from the Chief Minister of Bihar—I got it only a few days ago—and he has expressed complete satisfaction with the work done by the North Eastern Railway especially, in regard to the movement of foodgrains and other commodities in that area.

WRITTEN ANSWERS TO QUESTIONS

जंगल वाली भूमि

*१०४५. **सेठ गोविन्द दास :** क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि पिछले १० वर्षों में किन किन राज्यों में जंगल वाली भूमि का क्षेत्र कम हो गया है ?

The Minister of Food and Agriculture (Shri Kidwai): Complete statistics of the area of Forest lands during the last 10 years in various States, are not available. On the basis of available data there does not appear to be any declining tendency of Forest areas visible in any State.

Railway Apprentices and Mechanics

*1056. **Ch. Raghubir Singh:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the Railway Board appointed a Committee in November 1952 to review the existing facilities for theoretical and practical training to apprentices and mechanics etc.;

(b) if so, the names of the Members of that Committee;

(c) whether the Committee has submitted its report; and

(d) what are its main recommendations?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes, Sir.

(b) A statement is laid on the Table of the House. [*See* Appendix VI, annexure No. 55.]

(c) and (d). The Committee is expected to submit the report very shortly.

Theft of Telephone Cables

*1061. **Shri S. C. Samanta:** Will the Minister of **Communications** be pleased to state:

(a) whether it is a fact that some telephone cables were stolen recently from underneath a Central Calcutta Street;

(b) if so, when;

(c) how many and for how much time the connections were out of order;

(d) whether any investigations have been made; and

(e) if so, what are the results thereof?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Yes.

(b) 25th June, 1954.

(c) 172 telephone connections were put out of order. They were set right in one to two days.

(d) The police have made investigations.

(e) The results of the investigations are awaited from the police.

Plantations Labour Act

*1065. **Shri V. P. Nayar:** Will the Minister of **Labour** be pleased to state whether Government propose to assist by way of subsidies the small proprietary plantation estates, so that they are in a position to implement the provisions of Plantation Labour Act, 1951?

The Minister of Labour (Shri K. K. Desai): No, Sir.

TICKETLESS TRAVEL IN 1953-54

***1066. Shri Balakrishnan:** Will the Minister of **Railways** be pleased to state the amount lost to Government due to ticketless travelling in the year 1953-54?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): It is not possible to make an accurate estimate of the loss to the Indian Railways on acount of ticketless travelling. The amount of excess fares and penalty realised from ticketless travellers during 1953-54 was, however, Rs. 1·41 crores.

WAGONS FOR THE KOSI PROJECT

***1070. Shri G. P. Sinha:** Will the Minister of **Railways** be pleased to state:

(a) the average requirement of wagons per day for execution of the Kosi Project in Bihar; and

(b) whether any quota has been fixed for the said purpose?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) The average daily requirement of wagons, as notified by the Bihar Government, is forty metre gauge or twenty broad gauge wagons until 31st March, 1955.

(b) The following quotas have been provided for the movement of traffic in connection with the execution of the Kosi Project:—

A. *Coal or Cement* :—	
Via Mokameh .	Six broad gauge wagons per day.
Via Manduadih	One broad gauge wagon per day.
B. Stone Material:—	
Via Rajmahal Manihari	Eight broad gauge wagons per day.
TOTAL	Fifteen broad gauge or thirty metre gauge wagons per day.

WATER COOLERS AT RAILWAY STATIONS

***1079. Th. Jugal Kishore Sinha:** Will the Minister of **Railways** be pleased to state the number of Railway Stations which have been provided with water coolers?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): 115.

DELHI JUNCTION

***1086. Shri Dabhi:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the Delhi Junction is very congested due to heavy passenger and goods traffic; and

(b) if so, what steps are being taken by Government to remedy this state of affairs?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) Yes, Sir.

(b) Proposals for a major remodelling of Delhi Station so as to be able to cope with the increased traffic, are being worked out by the Railway.

STUDY GROUP (TRANSPORT PLANNING)

***1087. Shri S. N. Das:**
Shri Nanadas:
Shri Krishna Chandra:
Shri Anirudha Sinha:

Will the Minister of **Transport** be pleased to state:

(a) whether the Study Group (Transport Planning) has finished its work and submitted any report;

(b) if so, what are the important suggestions and recommendations that have been made; and

(c) whether the proposal to demarcate certain zones for road traffic in which railways should not accept transport of certain categories of goods, has been finalised?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) The Study Group has not yet finalised its Report.

(b) and (c). Do not arise.

DIESEL RAIL CARS

*1088. {**Dr. Ram Subhag Singh:** **Sardar Hukam Singh:**

Will the Minister of **Railways** be pleased to state:

(a) whether Government propose to introduce diesel rail cars on some metre gauge sections of the Northern Railway;

(b) if so, when such cars are likely to be introduced; and

(c) on which sections?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) Yes.

(b) By about December, 1955.

(c) It is proposed to introduce the Diesel Rail Cars on the following Sections:—

(i) Rewari-Delhi.

(ii) Rewari-Hissar.

(iii) Rewari-Sadulpur.

(iv) Jodhpur-Marwar Pali-Marwar Jn.

(v) Jodhpur-Bilara.

(vi) Merta City-Nagaur.

KODAIKANAL OBSERVATORY

*1089. **Shri Krishnacharya Joshi:** Will the Minister of **Communications** be pleased to state:

(a) what were the main items of Visual and Photographic observations in Astronomy and Astro Physics made at the Kodaikanal observatory during 1953; and

(b) what is the progress made in the investigations in Solar Physics?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) and (b). Two statements giving the required information are laid on the Table of the Lok Sabha. [*See* Appendix VI, annexure No. 56.]

MOKAMEH GHAT FERRY

*1090. **Pandit D. N. Tiwary:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that transhipment capacity of Mokameh Ghat Ferry has considerably decreased in the recent years i.e. since 1947;

(b) whether it is also a fact that the transhipment of coal, iron and cement has been curtailed by over 50 per cent.; and

(c) whether Government are considering proposals to divert Railway coal to some other *vias* and allow transhipment of coal, cement etc. for public use instead?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No; on the other hand it has considerably increased.

(b) No.

(c) Steps have already been taken to release further capacity *via* Mokameh route for movement of public traffic including coal and cement, diverting movement of some railway coal *via* Manduadih and *via* Sakrigali-Manihari.

IMPORTED SUGAR

*1091. **Shri Bibhuti Mishra:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether Government propose to spend profits made out of the imported sugar on the development of sugarcane;

(b) if so, what are the main features of the proposed scheme; and

(c) by what time the work is likely to start?

The Minister of Food and Agriculture (Shri Kidwai): (a) to (c). No decision has so far been taken with regard to the disposal of profits which may accrue on imported sugar. Sugarcane development schemes are, however, being financed from a separate fund *viz.* the Temporary Sugar Excise Fund.

LABOUR SITUATION IN COCHIN PORT

*1092. **Ch. Raghubir Singh:** (a) Will the Minister of **Transport** be pleased to state whether it is a fact that the labour situation in Cochin Port continued to be uneasy in 1953-54?

(b) If so, for what reasons?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) The uneasiness in the labour situation in the Cochin Port was due to the fact that several matters relating to the employment of Stevedore labour were pending with the Industrial Tribunal for adjudication. The Tribunal has since given its award and it has been implemented.

GANGA BRIDGE PROJECT

*1093. **Shrimati Tarkeshwari Sinha:**
Shri S. C. Samanta:

Will the Minister of **Railways** be pleased to state:

(a) what progress has been made on the preliminary work for Ganga Bridge Project; and

(b) the amount so far spent on the said Project?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Survey has almost been completed. The construction of staff quarters and office buildings is well in progress; pitching stones are being collected at site. An Indian Combine—Ganga Bridge Construction Co. has been selected for carrying out the work of the main bridge.

(b) Approximately Rs. 75 lakhs upto 30th June, 1954.

RAILWAY COMPENSATION LAWS

*1094. **Shri Nageshwar Prasad Sinha:** Will the Minister of **Railways** be pleased to state:

(a) whether the attention of Government has been drawn to the judgment of the Patna High Court wherein the court has pointed out a lacuna in the Railway Accidents (Compensation) Rules, 1950 in so far as they have not provided for rates of compensation payable in respect of temporary disablement; and

(b) if so, whether Government propose to amend the Rules?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) Yes.

(b) The question of amending the rules is under consideration.

COMMUNICATIONS IN FORMER PRINCELY STATES

*1095. **Shri Bahadur Singh:** Will the Minister of **Communications** be pleased to state:

(a) whether the Posts, Telegraphs and Telephone systems in erstwhile princely States have all been taken over by the Government of India; and

(b) if not, what are the areas of the former princely States where these systems are not yet under the complete control of the Central Government?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Yes.

(b) Does not arise.

IMPORT OF TRACTORS

*1096. **Shri G. P. Sinha:**
Shri Buchhikotaiah:

Will the Minister of **Food and Agriculture** be pleased to state:

(a) the number of tractors to be imported from Russia during 1954; and

(b) what will be the average price of a tractor?

The Minister of Food and Agriculture (Shri Kidwai): (a) It is not possible to indicate at present how many tractors may be imported from Russia during 1954. Four tractors of 8·5 H.P. at the draw bar have so far been imported on Government account during 1954 for trial purposes.

(b) The price of the tractors imported is Rs. 4,385/- each c.i.f. Bombay inclusive of cost of hydraulic lift, pulley and a plough together with standard sets of tools and spares for each tractor.

LABOUR WELFARE FUNDS

*1097. **Sardar A. S. Saigal:** Will the Minister of **Labour** be pleased to state:

(a) whether it is a fact that the creation of statutory Labour Welfare Funds for financing welfare schemes for workers has been under consideration since 1950; and

(b) if so, by what time a final decision will be taken by the Standing Labour Committee?

The Minister of Labour (Shri K. K. Desai): (a) Yes.

(b) The question was considered at the 14th Session of the Standing Labour Committee held at Madras in August, 1954. The general opinion was that Central Legislation would be desirable. It was however decided that the consideration of this question may be postponed until the disposal of the appeals which are pending in the Supreme Court challenging the legal and constitutional position in this regard.

In the meantime it was decided that factual information in regard to the nature and extent of welfare facilities provided by employers and workers, should be collected and examined and the matter then placed before the Indian Labour Conference.

TRAINING OF SEAMEN

*1098. **Shri H. N. Mukerjee:** Will the Minister of **Transport** be pleased to state:

(a) the number of persons trained so far under the training scheme for seamen of the engine room and deck sections;

(b) whether the attention of Government has been drawn to reports of oppressive behaviour of ship's officers towards the trainees; and

(c) whether the attention of Government has also been drawn to allegations of discrimination in the matter of training?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) 3,277 persons were trained upto the end of June, 1954. Of these 1442 were for the engine room and the rest for the deck section.

(b) There have been no general complaints of the nature referred to by the hon. Member, though occasionally there have been a few complaints of bad treatment against individual officers of ships on which the trainees find employment after training. In such cases, redress has been sought by taking up the matter with the shipping companies concerned.

(c) Several representations and complaints were received from the National Seamen's Union of India, Bombay and National Union of Seamen of India, Calcutta regarding alleged discrimination. On enquiry it transpired that the allegations had no basis and replies to this effect were sent to the Unions concerned from whom nothing further has been heard.

TRAINING SHIP "DUFFERIN"

*1099. **Shri Bhagwat Jha Azad:** Will the Minister of **Transport** be pleased to state whether there is any arrangement in T.S. 'Dufferin' to impart pre-sea and post-sea instructions in radar observations?

The Deputy Minister of Railways and Transport (Shri Alagesan): None at present: but arrangements are expected to be made shortly for imparting pre-sea instruction in radar observations on board T.S. 'Dufferin'.

COMMUNICATIONS IN NORTH BIHAR

*1100. **Th. Jugal Kishore Sinha:** Will the Minister of **Communications** be pleased to state:

(a) the areas where telegraphic, telephonic and postal communications

were dislocated on account of recent floods in North Bihar giving also the respective periods for which the communications remained suspended at each place;

(b) the steps taken by the postal department to restore the communications expeditiously; and

(c) whether it is a fact that the local authorities were not authorised to make any special arrangement at some extra cost?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) and (b). A statement giving the information is placed on the Table of the House. [*See* Appendix VI, annexure No. 57.]

(c) No.

SERVICE AIRCRAFT TO KABUL

*1101. **Shri T. B. Vittal Rao:** Will the Minister of **Communications** be pleased to state:

(a) whether it is a fact that the Service Aircraft to Kabul does not always carry a licensed navigator on board thus contravening rule 38 of the Indian Aircraft Rules, 1937; and

(b) if so, the reasons therefor?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) It is correct that the Indian Airlines Corporation aircraft on the route Delhi-Kabul-Kandahar do not always carry a licenced navigator. There is however no contravention of rule 38 of the Indian Aircraft Rules involved, as an exemption from this rule has been given under rule 160 of the Rules, subject to certain conditions to ensure safety of operations.

(b) Shortage of licenced navigators.

STEVEDORE WORKERS IN MAJOR PORTS

*1102. **Ch. Raghubir Singh:** Will the Minister of **Labour** be pleased to refer to the unstarred question No. 1793 answered on the 1st May, 1953 and state how far the schemes for the registration and regulation of employment of stevedore workers in major ports have been executed?

The Minister of Labour (Shri K. K. Desai): Dock Workers (Regulation of Employment) Schemes, for the ports of Bombay, Calcutta and Madras, which, *inter alia*, provide for the registration and regulation of employment of certain categories of stevedore workers have been brought into force. Preparation of similar schemes for the ports of Cochin and Visakhapatnam is under consideration.

PASSENGERS AMENITIES

*1103. **Shri S. N. Das:**
Shri Amjad Ali:

Will the Minister of **Railways** be pleased to state:

(a) whether the decision of the Railway Board to appoint a special officer on each Railway to ensure the minimum standard of amenities to the travelling public and to advise Government on this matter has been given effect to; and

(b) whether the salaries and allowances of these officers will be debited to the fund earmarked for such amenities?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes. On the Northern, North-Eastern, Eastern and Central Railways the Officers have been brought in position. On the Southern and Western Railways Officers are expected to be appointed very soon.

(b) No.

DEPUTY SHIPPING MASTER, CALCUTTA

*1104. **Shri H. N. Mukerjee:** Will the Minister of **Transport** be pleased to state:

(a) whether it is a fact that serious allegations of corruption were published in *Modern Review* (Sept. 1948) and other papers against the Deputy Shipping Master, Calcutta Port;

(b) whether sanction for prosecution of the said officer was sought for, after investigation, by the Special Police, Government of India;

(c) whether it is a fact that a departmental inquiry was ordered instead and has recently been concluded;

(d) whether the said officer was under suspension during the pendency of the inquiry; and

(e) the action that is being taken by Government on the findings so far made?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) to (c). Yes.

(d) No.

(e) The Enquiry Officer held that the Deputy Shipping Master, Calcutta, did not commit any misconduct as a public servant either in respect of payment of Post-war Credit money, or in connection with the drawal of overtime fees by himself and other officers and clerks of the Shipping Office, and recommended that no action should be taken against him. The findings and recommendations of the Enquiry Officer have been accepted by the Government of India and orders issued to that effect. Orders have also been issued overhauling the system of payment of overtime fees.

FARMERS' CO-OPERATIVE BANK

***1105. Dr. Ram Subhag Singh:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether Government propose to establish a Farmers' Co-operative Bank in the country;

(b) if so, whether the Government of India have approached the State Governments in this regard; and

(c) the reactions of the State Governments in the matter?

The Minister of Food and Agriculture (Shri Kidwai): (a) A very tentative proposal for constituting a National Trust for farmers, instead of a Farmers' Bank was mooted at the conference of the State Ministers of Agriculture, Co-operation etc. and some selected farmers, held at Srinagar in July, 1954. The suggestion is being examined.

(b) Not yet, Sir.

(c) Does not arise.

TELEGRAPHIC CONNECTION IN ORISSA POST OFFICES

512. Shri K. C. Jena: Will the Minister of **Communications** be pleased to state:

(a) the number of post offices in the State of Orissa provided with telegraph facilities during 1953 and upto 31st August, 1954; and

(b) the number of the post offices in that State which have yet to be provided with telegraph facilities during 1954-55?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Five in 1953.

Ten from 1st January 1954 to 31st August 1954.

(b) Forty-seven.

ANTI-MALARIA OPERATIONS IN THE PUNJAB

513. Shri D. C. Sharma: Will the Minister of **Health** be pleased to state:

(a) in which district of the Punjab the spraying of D.D.T. and other anti-malarial operations have been conducted; and

(b) the number of villages covered so far under the anti-malarial campaign and the quantity of D.D.T. sprayed there?

The Minister of Health (Rajkumari Amrit Kaur): (a) Four malaria control units were deployed in the following districts of the Punjab, during 1953-54:

1. Gurgaon.
2. Rohtak (Gohana and Sonepat tehsils only).

3. Karnal.
4. Ambala (Rupar and Jagadhri tehsils only).
5. Ferozepur.
6. Ludhiana.
7. Amritsar.
8. Gurdaspur.
9. Kangra (Indaura thana of Nurpur tehsil only).

(b) During 1953, 2,526 villages were sprayed with D.D.T. by these four units and 2,06,633 lbs. of D.D.T. 75 per cent. wettable powder were consumed

Anti-malaria Operations were resumed in the middle of June, 1954, and 499 more villages were sprayed with D.D.T. up to the 30th June, 1954 and 32,092 lbs. more of D.D.T. 75 per cent. wettable powder were consumed.

NEW P. AND T. OFFICES IN THE PUNJAB

514. Shri D. C. Sharma: Will the Minister of **Communications** be pleased to state:

(a) the number of new post offices and telegraph offices—Departmental and extra-Departmental separately—opened in the Punjab during 1952-53 and 1953-54 district-wise;

(b) the number of such offices opened by Government on their own initiative and the number of those opened on the assurances given by the local population that they would meet the loss, if any;

(c) the number of post offices and telegraph offices proposed to be opened in the Punjab during the year 1954-55 and at what places; and

(d) the tehsils and police stations in the Punjab where there are no post offices or telegraph offices?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) and (b). The information is in the process of collection and will be furnished as soon as it becomes available.

(c) 105 post offices and 27 telegraph offices are proposed to be opened during 1954-55 in the Punjab. A statement showing the names of the places is placed on the Table of the House. [*See* Appendix VI, annexure No. 58.]

(d) There are no Tehsil Headquarters in the Punjab State without Post and Telegraph facilities. There are 60 Police Stations without Telegraph facilities. A statement showing the names of such police stations is placed on the Table of the House There are only two Police Stations, Butana in Karnal District and Chappar in Ambala District, without postal facilities.

TELEPHONE EXCHANGES IN THE PUNJAB DISTRICTS

515. Shri D. C. Sharma: Will the Minister of **Communications** be pleased to state:

(a) the number of telephone exchanges and public call offices opened in 1953-54 in the districts of Hoshiarpur, Kangra and Gurdaspur;

(b) whether any of these offices have since been closed down;

(c) if so, the reasons therefor; and

(d) the total number of such offices in these three districts at the end of 1953-54?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) 3 public call offices were opened in Hoshiarpur, 1 in Kangra and 4 in Gurdaspur during 1953-54. No telephone exchanges were opened in any of these places during this period.

(b) None of these offices has been closed.

(c) Does not arise.

(d) One telephone exchange and 14 Public Call Offices were existing on 31st March 1954 in Hoshiarpur District, 1 exchange and 9 Public Call Offices in Kangra and 3 exchanges and 20 Public Call Offices in Gurdaspur.

CENTRAL ROAD FUND

516. Shri Dabhi: Will the Minister of **Transport** be pleased to state:

(a) the amount allotted to Bombay State during the year 1954-55 from the

Central Road Fund for the construction of roads and bridges in the State; and

(b) what is the programme formulated for the purpose?

The Deputy Minister of Railways and Transport (Shri Alagesan):

	Rs.
(*a*) Allotment so far made out of the State Government's Allocations Account in the Central Road Fund.	24·15 lakhs*
Grant Sanctioned from the Central Road Fund (Ordinary) Reserve.	2·33 lakhs

*This amount covers the expenditure from 1st April 1954 to 30th June 1954 on works approved for being financed from the State's Allocation Account in the Fund.

(b) The above amounts have been given for meeting expenditure on the works mentioned in the attached list. [*See* Appendix VI, annexure No. 59.]

SUGAR

517. **Shri K. P. Sinha:**
Shri Tulsidas:

Will the Minister of **Food and Agriculture** be pleased to state:

(a) The total quantity of sugar consumed in India during January to June 1954;

(b) the total quantity of sugar released from sugar mills during the above period; and

(c) the total quantity of sugar imported during the same period?

The Minister of Food and Agriculture (Shri Kidwai): (a) Figures of actual consumption of sugar in India are not available. On the basis of despatches of sugar from factories, and the quantity of sugar supplied out of imported stocks, the total quantity of sugar available for consumption during the period January to June, 1954, was 9·6 lakh tons.

(b) 6·66 lakh tons.

(c) 2·51 lakh tons

COMMISSION AGENTS

518. **Pandit D. N. Tiwary:** Will the Minister of **Railways** be pleased to state:

(a) the benefits that the Railways derive by giving management of halt stations to commission agents;

(b) the number of stations being managed at present on commission basis on each zone; and

(c) the total income derived from these halts and the commission paid to commission agents during 1953-54?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) The management of halt stations by Commission Agents ensures better control over ticketless travelling as generally the halts on Railways are not provided with railway staff and tickets are issued by the travelling ticket examiners or the guards of the trains. Further, this system results in economy in working as the Railways are not required to provide accommodation for staff and other amenities.

(b) the number of such stations worked by Commission Agents on the six Railways as on 31st March 1954 is as under:

Northern	3
North-Eastern	15
Southern	74
Eastern	41
Western	58
Central	Nil.

(c) The total income derived from these stations and the commission paid to Commission Agents during 1953-54 are Rs. 20,39,990 and Rs. 1.29,082 respectively.

RAILWAY OVERBRIDGES

519. **Pandit D. N. Tiwary:** Will the Minister of **Railways** be pleased to state:

(a) the number and names of important junction stations on the North

Eastern Railway which have not been provided with overhead bridges for passengers;

(b) the number and names of those stations on the North Eastern Railway which have got more than one foot-bridge; and

(c) whether any prosecution for trespass at Sonepore Railway Station has been lodged in the years 1953 and 1954 for unauthorised crossing of the railway line?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) There are only 25 Junction Stations on the North Eastern Railway which have not been provided with foot over-bridges. The names of these stations are given in the attached statement. [*See* Appendix VI, annexure No. 60.]

(b) Katihar is the only Junction station on the North Eastern Railway which has more than one footover-bridge.

(c) No, the Railway Administration is not aware of any such occurrence.

PROCUREMENT OF ROLLING STOCK

520. Pandit Munishwar Datt Upadhyay: Will the Minister of **Railways** be pleased to state:

(a) out of the Rs. 400 crores planned for expenditure on the First Five Year Plan, how much is being used for replacement and addition of rolling stock;

(b) what is the total number of locomotives ordered from abroad and also from Chittaranjan and Tatas and how many have been received already from each source;

(c) the number of coaches that have been ordered as replacement and the number of additional coaches for the Plan period from inside and outside the country; and

(d) the total number of wagons ordered and the number already received?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Rs. 185·26 crores have been planned for expenditure for replacement and additions of Rolling Stock during four years from 1951-52 to 1954-55. The programme for 1955-56 is being drawn up.

(b) to (d). The information is given in the statement attached. [*See* Appendix VI, annexure No. 61.]

TRAVEL AGENCIES

521. { Shri Krishna Chandra: / Seth Govind Das:

Will the Minister of **Transport** be pleased to state:

(a) the rules governing the grant of recognition to Travel Agencies;

(b) the facilities, concessions or commission allowed to these Agencies; and

(c) the names and addresses of Travel Agencies granted recognition so far?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) A copy of the rules at present in force is placed on the Table of the Sabha.

(b) Recognised Travel Agencies are allowed a commission on the sale of air-conditioned, first and second class rail tickets issued by them. The rate of this commission is 10 per cent. in the case of tickets sold to *bona fide* overseas tourists and 5 per cent. in the case of tickets sold to others. These agencies receive certain other facilities such as free mention of their names in Government tourist publications and free supply of Government tourist literature.

(c) A list containing the names and addresses of recognised travel agencies is placed on the Table of the Lok Sabha. [*See* Appendix VI, annexure No. 62.]

दिल्ली पोलिटेक्निक

५२२. श्री नवल प्रभाकर : क्या श्रम मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली पोलिटेक्निक की महिला शाखा में किन किन व्यवसायों का प्रशिक्षण दिया जाता है; और

(ख) इसमें इस समय कितनी महिलायें प्रशिक्षण पा रही हैं ?

The Minister of Labour (Shri K. K. Desai): (a) No Section exclusively for women has been set up in the Industrial Training Centre attached to the Delhi Polytechnic. There is, however, a separate training centre for women, called the Industrial Training Institute for Women on Curzon Road, New Delhi. Training at this Institute is imparted in the trades of (1) bleaching, dyeing and printing, (2) handweaving, (3) knitting with hand and machine, (4) cutting and tailoring, (5) embroidery and (6) fruit preservation.

(b) 189.

WATER SUPPLY IN TRIPURA

523. **Shri Biren Dutt:** Will the Minister of **Health** be pleased to state:

(a) whether any meeting took place between the municipal chief authorities and the other executive officers of Tripura on the issue of water supply in the Town of Agartala during the month of July 1954;

(b) the decision taken in that meeting; and

(c) whether the Government of India have been informed of their decision regarding the water works?

The Minister of Health (Rajkumari Amrit Kaur): (a) Yes.

(b) A decision was taken for implementation of a scheme for water works and drainage.

(c) Yes.

पूर्वी रेलवे

५२४. **श्री जांगड़े :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि पूर्वी रेलवे के वाणिज्य मुख्य कार्यालय को नागपुर से हटा कर बिलासपुर में स्थापित करने के प्रश्न पर सरकार सक्रिय रूप से विचार कर रही है;

(ख) क्या यह सच है कि नागपुर की जनता, विशेषकर वहां के व्यापारियों ने इस बात का विरोध किया है; और

(ग) इस कार्यालय को बिलासपुर ले जाने के क्या कारण हैं ?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No.

(b) There were some representations and also some comments in Nagpur Press but these were not based on a correct appreciation of the position.

(c) Does not arise.

JUTE WORKERS IN WEST BENGAL

525. **Shri Ramananda Das:** Will the Minister of **Labour** be pleased to state the total number of Jute Workers in West Bengal on the 1st January 1951, 1952, 1953 and 1954?

The Minister of Labour (Shri K. K. Desai): The average daily number of workers employed is as under:

1951—2,81,093.

1952—2,71,661.

1953—2,53,712.
(for 1st half year).

Figures for 1954 are not yet available.

EXPLORATORY TUBE-WELLS

526. **Shri C. R. Chowdary:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether it is a fact, that an agreement was signed with an American firm on the 7th August 1954 for necessary technical advice and personnel for the purpose of construction of exploratory tube-wells in sixteen States;

(b) if so, the number of tube-wells to be constructed in each State; and

(c) whether the preliminary investigation, and geological survey have

been made in all the States and reports received for the areas?

The Minister of Food and Agriculture (Shri Kidwai): (a) Yes.

(b) A statement is laid on the Table of the House. [*See* Appendix VI, annexure No. 63.]

(c) The Geological Survey of India have so far conducted preliminary investigation and survey in 11 States and have made provisional recommendations in respect of the allocation of sites in these States. The sites will be finally selected on the basis of the recommendations of a Site Selection Committee, consisting of experts of the Government of India, the Technical Co-operation Mission of the U.S. Government and the Chief Engineer of the State concerned, after inspecting the areas provisionally selected by the Geological Survey of India.

TRANSPORT FACILITIES AT ADONI RAILWAY STATION

527. **Shri Gadilingana Gowd:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the Railway authorities of Southern Railway submitted proposals for expansion of Goods sheds, provision of weighing bridge, provision of accommodation for traders etc. in Adoni Railway Station on the Southern Railway during 1953; and

(b) if so, the stage at which the matter now stands?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). There is already a weighbridge of 33 tons available at Adoni. The proposal to have better goods shed accommodation with suitable space reserved as a waiting room for traders was considered along with other amenities at this station but it has not so far been included in any Works Programme as similar works at other stations more urgently needed have been given preference.

COAL CESS

528. **Shri K. C. Sodhia:** Will the Minister of **Labour** be pleased to state:

(a) the total amount of coal cess collected during 1953-54;

(b) the amount of coal cess collected from Railway Collieries during that year; and

(c) the amount spent from Coal Labour Welfare Fund on the construction of quarters for labour in Railway and other collieries?

The Minister of Labour (Shri K. K. Desai): (a) About Rs. 1,21,10,900.

(b) About Rs. 10.94,000.

(c) About Rs. 18,55,600 in Railway collieries and about Rs. 50,49,300 in other collieries.

SINGARENI COLLIERIES COMPANY

529. **Shri T. B. Vittal Rao:** Will the Minister of **Labour** be pleased to state:

(a) whether the Singareni Collieries Company has been granted exemption by the Chief Inspector of Mines from providing "Creche and Pithead Batti" at Andrews Incline No. 21, Yellandu;

(b) if so, the reasons therefor; and

(c) the period for which the exemption is valid?

The Minister of Labour (Shri K. K. Desai): (a) to (c). No exemption has so far been granted. The Management has reported that necessary steps are being taken to provide a Creche. In the case of Pithead baths, the existing resources of water are not sufficient, but adequate water is expected to be available when certain abandoned pits in the neighbourhood are re-opened. The matter has accordingly been kept pending re-opening of the abandoned pits.

PROCURMENT OF RICE IN ANDHRA

530. Shri Raghuramaiah: Will the Minister of **Food and Agriculture** be pleased to state:

(a) the quantity of rice procured from the Andhra State for distribution to other States during the last twelve months;

(b) the quantity actually removed from there during the last twelve months; and

(c) when the balance, if any, is likely to be removed?

The Minister of Food and Agriculture (Shri Kidwai): (a) The State of Andhra came into existence on 1st October 1953 and the quantity of rice procured since then upto the end of August, 1954 amounted to 236 thousand tons.

(b) 164 thousand tons were actually despatched from Andhra during the period 1st October 1953 to the end of August 1954.

(c) Due to decontrol the Madras and Travancore-Cochin States have declined to receive any more rice from Andhra and Government of India have, therefore, started taking over this rice for Central Reserve. It is expected that this will be completed in a few months.

BONE MEAL

531. Dr. Ram Subhag Singh: Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether the Central Government have formulated any scheme for collecting the dead bodies of animals for producing bone meal;

(b) if so, the name of the area or areas where such collections are being made in a systematic way; and

(c) the quantity of bone meal that is produced annually?

The Minister of Food and Agriculture (Shri Kidwai): (a) No. In the year 1949, however, Government of India had forwarded to the State Governments for information and suitable action a scheme formulated by the Government of Madhya Pradesh in 1936-37 for the processing of dead bodies of animals for preparing meat-meal and bonemeal and extraction of tallow and glue etc. This scheme related only to the processing of the dead bodies of the animals and not with the collection of dead bodies of animals in a systematic manner.

(b) The question does not arise.

(c) 30-35,000 tons per annum.

TRAINING OF COMPOUNDERS, NURSES AND MIDWIVES

532. Shri Rishang Keishing: Will the Minister of **Health** be pleased to state the number of compounders, nurses and midwives trained and undergoing training in 1953-54 and 1954-55 respectively in the institutions under the control of the Centre?

The Minister of Health (Rajkumari Amrit Kaur): There is no institution under the control of the Central Government for the training of compounders. A statement showing the number of nurses and midwives trained in 1953-54 and 1954-55 and of those under training in the institutions under the control of the Centre, is placed on the Table of the House. [*See* Appendix VI, annexure No. 64.]

GRANT TO ANDHRA

533. Shri Raghuramaiah: Will the Minister of **Health** be pleased to state:

(a) whether any request has been received from the Andhra Government for a Central grant for the provision of protected water supply and of drainage facilities in that State;

(b) if the reply to part (a) above be in the affirmative, whether any grant has been made; and

(c) if so, the amount of grant?

The Minister of Health (Rajkumari Amrit Kaur): (a) Yes.

(b) No grant has been made but a loan is under consideration.

(c) Does not arise. The amount of loan has also not been decided yet.

THE INDIAN MEDICAL COUNCIL

534. **Shri S. N. Das:** Will the Minister of **Health** be pleased to state:

(a) whether Government have finally decided to bring forward a comprehensive Bill to amend the Indian Medical Council Act;

(b) if so, whether any decision in regard to the opening of All India Register and for the proper representation of Medical Licentiates in the Council has been taken; and

(c) if so, what is the decision in these matters and when the proposed amending Bill is to be introduced?

The Minister of Health (Rajkumari Amrit Kaur): (a) A final decision will be taken on receipt of the views of State Governments who have been addressed in the matter.

(b) and (c). Do not arise.

ELECTRIFICATION OF STATIONS ON NORTH EASTERN RAILWAY

535. **Th. Jugal Kishore Sinha:** Will the Minister of **Railways** be pleased to state:

(a) the number of the Railway Stations between Darbhanga and Narkatiganj on North Eastern Railway which have the provision of electric light and fans; and

(b) the time that will be taken to supply electric light and fans at such stations on this section as are not provided with this amenity?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) At present Darbhanga, Sitamarih, Raxaul and Narkatiganj have been provided with electric light and fans.

(b) No programme for the electrification of the remaining stations has been yet drawn up as this is linked with the plan of power development of the Bihar Government.

PASSENGER AMENITIES ON THE NORTHERN RAILWAY

536. **Shri Hem Raj:** Will the Minister of **Railways** be pleased to state:

(a) the various amenities proposed to be provided for passengers in different stations on the K. V. R. Section of the Northern Railway; and

(b) the anticipated expenditure for meeting these requirements?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) A statement is attached showing the works proposed for the next 3 years. [*See* Appendix VI, annexure No. 65.]

(b) Approximately Rs. 84,000.

KONI TRAINING CENTRE

537. **Shri N. A. Borkar:** Will the Minister of **Labour** be pleased to state:

(a) the progress of work in regard to the Koni Training Centre at Bilaspur, Madhya Pradesh during the last two years;

(b) the total number of students who qualified in different trades during the above period;

(c) the total number of qualified students employed during the above period; and

(d) the difficulties that this training centre is experiencing in making speedy progress?

The Minister of Labour (Shri K. K. Desai): (a) There was one Session of training at Koni for Technical Trades with 343 trainees and two for Vocational Trades with 92 trainees for each session. The Training Centre has been working satisfactorily.

(b) 418.

(c) 167 were employed through Employment Exchanges in addition to the persons who found employment through sources other than Exchanges. There is no information of the number in the latter category.

(d) No specific difficulty has been encountered.

BARIPADA TELEPHONE EXCHANGE

538. **Shri R. C. Majhi:** Will the Minister of **Communications** be pleased to state:

(a) whether it is a fact that the telephone exchange at Baripada in Mayurbhanj District (Orissa) has been taken over by the Government of India;

(b) if so, the date when it was taken over; and

(c) whether this Exchange would serve the entire district?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Yes.

(b) 1st September, 1954.

(c) No.

विंध्य प्रदेश में तार तथा टेलीफोन की सुविधाएं

५३९. **श्री आर० एस० तिवारी :** क्या **संचार** मंत्री यह बताने की कृपा करेंगे कि :

(क) विंध्य प्रदेश में १९५३–५४ में कितने तार घर खोले गए हैं और कितने टेलीफोन लगाए गए हैं;

(ख) क्या इस राज्य में सभी जिलों और तहसीलों के बीच तार तथा टेलीफोन सम्बन्ध स्थापित कर दिए गए हैं; और

(ग) यदि नहीं, तो कब तक यह प्रबन्ध हो जाने की आशा है ?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Two Telegraph Offices were opened during 1953-54. 76 main telephone connections and 11 extensions were given during the same period.

(b) All the eight district headquarters are connected by telegraph systems while only five are connected by telephone systems.

Out of 26 Tehsil headquarters, 22 are connected by telegraph systems while only seven are connected by telephone systems.

(c) The remaining three district headquarters are expected to be connected by Telephone system by 31st March, 1955.

Out of four tehsils which are not connected by telegraph systems, one will be connected by the Telegraph system by the end of this year. The remaining three will have to wait for some time.

Out of nineteen Tehsils not connected to the Trunk network four will be connected by the Telephone system by the end of 1954-55. The remaining fifteen will have to wait for some time.

विंध्य प्रदेश में भूमि का फिर से खेती योग्य बनाया जाना

५४०. **श्री आर० एस० तिवारी :** क्या **खाद्य तथा कृषि** मंत्री यह बताने की कृपा करेंगे :

(क) क्या यह सच है कि केन्द्रीय सरकार ने अमर कंटक, विंध्य प्रदेश में भूमि को फिर से खेती योग्य बनाने के लिए ट्रेक्टर भेजे थे;

(ख) यदि हां, तो अब तक कितनी भूमि खेती योग्य बनाई जा चुकी है;

(ग) अब तक इन ट्रेक्टरों पर कितना खर्च हुआ है;

(घ) इन ट्रेक्टरों की देखभाल केन्द्र की जिम्मेदारी है या राज्य सरकार की; और

(ङ) खेती योग्य बनाई गई भूमि में कितने का बीज बोया गया और उससे कितनी उपज हुई ?

The Minister of Food and Agriculture (Shri Kidwai): (a) Yes, Sir. Eight tractors were sent.

(b) About 1,000 acres.

(c) The expenditure, excluding depreciation on the tractors, incurred by the Organisation during the operation is Rs. 76,346/11/.

(d) The tractors were transferred to the Government of Vindhya Pradesh on the 1st April, 1953, and responsibility for the maintenance of the tractors is that of the State Government from that date.

(e) The information is awaited from the State Government.

KEY FARM CENTRES

541. Shri K. C. Sodhia: Will the Minister of Food and Agriculture be pleased to state:

(a) the total number of bulls allotted to the key Farm Centres in Madhya Pradesh;

(b) the number of artificial insemination centres that have been opened there; and

(c) the total annual expenditure incurred on these during 1953-54?

The Minister of Food and Agriculture (Shri Kidwai): (a) 96.

(b) None.

(c) Nil.

STORES UTILIZED IN 1953-54

542. Shri K. C. Sodhia: Will the Minister of **Communications** be pleased to state:

(a) the total value of stores utilised by Departments under the Ministry of Communications during 1953-54 under the following heads:—

(i) stores indented on Director General of Supplies;

(ii) stores purchased departmentally;

(iii) stores manufactured in the Departmental workshops; and

(b) the total value of stores lying unused with them?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) and (b). The information is being collected and will be laid on the Table of the Lok Sabha as soon as possible.

MYSTERY DISEASE

543. Shrimati Kamlendu Mati Shah: Will the Minister of **Health** be pleased to state:

(a) whether it is a fact that the medical opinion is that the Mystery Disease is due to insanitary conditions prevailing in various localities; and

(b) if so, the steps that Government propose to take to remove those conditions to check up this disease?

The Minister of Health (Rajkumari Amrit Kaur): (a) Medical opinion cannot as yet define the causes of the mystery disease but it is held that insanitary conditions prevailing in various localities may indirectly be the cause of the disease.

(b) Government have advised the public to remove insanitary conditions as far as possible and have also by D.D.T. spraying destroyed noxious insects that breed amidst insanitary conditions.

NATIONAL HIGHWAYS

544. Mulla Abdullabhai: Will the Minister of **Transport** be pleased to state:

(a) the number of miles of National Highways that have been developed so far in 1954-55; and

(b) the number of miles among them which have been constructed in Madhya Pradesh?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) 280 miles.

(b) 2 miles. Besides this, 25 miles have been improved so far in 1954-55 in Madhya Pradesh.

RAISED PLATFORMS AT RAILWAY STATIONS

545. Shri Tushar Chatterjea: Will the Minister of **Railways** be pleased to state:

(a) the criterion on which sanction is given for construction of raised platforms at Railway Stations; and

(b) whether there is any proposal for raising the platform of the Bankura Railway Station in West Bengal?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) The ultimate target is to provide high level platforms at all important main line stations.

(b) The floor level of Bankura Railway station building is same as that of the platform and there is no proposal for raising either.

POST-OFFICES IN BALASORE

546. Shri K. C. Jena: Will the Minister of **Communications** be pleased to state:

(a) the number of Post Offices proposed to be opened in the Balasore Division, Orissa during the Plan period;

(b) the number among them that have already been opened there; and

(c) the names of the places where they have been opened?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) 157.

(b) 60.

(c) A list is laid on the Table of the House. [*See* Appendix, VI, annexure No. 66.]

Vol. VII—No. 20
17th September, 1954 (Friday)

LOK SABHA DEBATES

(Part II—Proceedings other than Questions and Answers)

(Vol. VII contains Nos. 16—31)

LOK SABHA SECRETARIAT
NEW DELHI

SIX ANNAS (INLAND) TWO SHILLINGS (FOREIGN)

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LOK SABHA DEBATES

(Part II—Proceedings other than Questions and Answers)

LOK SABHA

Friday, 17th September, 1954

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair.*]

QUESTIONS AND ANSWERS

(See Part I)

12 NOON.

INDIAN TARIFF (SECOND AMENDMENT) BILL

Secretary: Sir, under Rule 178 of the Rules of Procedure and Conduct of Business in the Lok Sabha, I have to report that a petition as per statement laid on the Table has been received relating to the Bill further to amend the Indian Tariff Act, 1934, which was introduced in the House on the 11th September, 1954, by Shri T. T. Krishnamachari.

STATEMENT

Petition relating to the Bill further to amend the Indian Tariff Act, 1934, which was introduced in the House on the 11th September, 1954.

No. of signatories.	District or Town.	State	No. of Petition
1	Solan	Himachal Pradesh	36

INDIAN ARMS (AMENDMENT) BILL, 1953

Shri U. C. Patnaik (Ghumsur): I beg to lay on the Table a copy of Paper No. III containing opinions on the Indian Arms (Amendment) Bill, 1953, which was circulated for the purpose of eliciting opinion thereon by the 31st August, 1954.

DOWRY RESTRAINT BILL AND RESTRAINT OF DOWRY BILL

Dr. Rama Rao (Kakinada): I beg to present a petition signed by fifteen thousand and four hundred and seventy-eight petitioners relating to the Dowry Restraint Bill, 1952, by Shrimati Jayashri Raiji and the Restraint of Dowry Bill, 1952, by Shrimati Renu Chakravartty.

STATEMENT *RE* ORDER MODIFYING DECISION OF LABOUR APPELLATE TRIBUNAL IN BANKS' APPEALS

The Minister of Labour (Shri K. K. Desai): With your permission, may I make a small statement to the Lok Sabha?

On the 25th August 1954, Government placed before the House, under section 15(2) of the Industrial Disputes (Appellate Tribunal) Act, 1950, a copy of an Order modifying certain provisions of the decision of the Labour Appellate Tribunal, dated the 28th April, 1954, in the matter of the appeals filed before it against the award of the All India Industrial Tribunal (Bank Disputes), Bombay, together with a statement of the

[Shri K. K. Desai]

reasons for modifying the decision. Since then, there has been a debate in the House. I have also had an opportunity of meeting the representatives of both bank employees and managements. Government feel that *prima facie* case exists for a further enquiry into the matter and have decided to entrust it to Shri Justice Rajadhyaksha, Judge, Bombay High Court. A copy of the terms of reference to Shri Justice Rajadhyaksha is placed on the Table of the Sabha

SPECIAL MARRIAGE BILL—*contd.*

Mr. Speaker: The House will now proceed with the further consideration of the following motion moved by Shri C. C. Biswas on the 16th September, 1954, namely:—

> "That the Bill to provide a special form of marriage in certain cases, for the registration of such and certain other marriages and for divorce, as amended, be passed."

The House will resume further discussion on the third reading of the Special Marriage Bill. As the House is aware, 2½ hours have been allotted for the third reading stage, out of which 45 minutes have already been availed of yesterday and one hour and forty-five minutes still remain. This would mean that the third reading stage will conclude by about 1-45 p.m.

Pandit Thakur Das Bhargava (Gurgaon): May I make a submission? We saved something like 35 or 37 minutes on the various clauses of the Bill. We concluded the discussion on the clauses in much less time than was allotted. I would, therefore, request you to kindly give that time for the third reading.

Mr. Speaker: Are we not restricting ourselves to the total time allotted to this Bill? What is the position? I believe the facts, as disclosed to me by the Secretary, go against the argument of the hon. Member, and perhaps, if I have to stick to the total allotment, then the time-limit will be curtailed and forty-five or forty minutes only will be left. All that was intended was that the adjustment of time between the various stages may be made as the House likes, but it was clearly understood that the total allotment should not be exceeded.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Only forty minutes are left

Mr. Speaker: I have already stated in the announcement which I made on the basis of two and a half hours, that one hour and forty-five minutes are there. That means, hon. Members are getting one hour more.

An Hon. Member: We want more time.

Mr. Speaker: That would be changing the allocation substantially. There would be difficulty about the rules. I think we must stick to the allotment of one hour and forty-five minutes. We knew that some more time will be taken on the clauses and therefore, the original proposal of having three hours for the final stage was restricted to two and a half hours. Our anticipations have proved correct. It is no use going by the old arrangement of three hours. As it is, we are exceeding the time. I believe the House is agreeable to the excess time given.

Shri M. S. Gurupadaswamy (Mysore): We can sit half an hour more.

Mr. Speaker: If you strictly go by the rules, as some Members would like me to, the allocation would be disturbed even if you sit longer. Therefore, I am taking the sense of the House now without formally.....

Pandit Thakur Das Bhargava: These rules are certainly not mandatory. Even now, we have not been sticking to the original time-table to the minute. We have exceeded the time in certain clauses, and not exceeded it in certain others. We can sit for one hour more. The rules are not mandatory.

Mr. Speaker: I am not treating the rules as mandatory. If I were to do

so, I would not speak of one hour and forty-five minutes now. All these rules are for the convenience of the House, as I have always held. It is the pleasure of the House to adjust its business as it likes. One hour and forty-five minutes will be there.

Shri Satya Narayan Sinha: That is in excess of the time allotted by the Business Advisory Committee.

Mr. Speaker: Not in excess of the allotment of two and a half hours.

Shri Satya Narayan Sinha: That is in excess of the total.

Mr. Speaker: By one hour. There is always scope for adjustment. You cannot go by minutes and seconds in this matter. An allocation was made and it only gives a rough picture as to how the business will be conducted and in what time it will be finished.

Shri M. A. Ayyangar (Tirupati): On the whole I must congratulate the House for having passed this Bill, though essentially it is a controversial one. There has been no heat. There has been a spirit of accommodation exhibited in the House.

As the name itself indicates, the Special Marriage Bill is a special Bill and therefore, it ought not to be used except in exceptional circumstances where the ordinary law regulating marriages of the various parties does not provide sufficient scope. The original Special Marriage Act was introduced and passed in 1872 at a time when inter-caste marriages were not allowed in the Hindu society. In 1946, Pandit Thakur Das Bhargava.....

Pandit Thakur Das Bhargava: In 1949.

Shri M. A. Ayyangar: In 1949, Pandit Thakur Das Bhargava, introduced a Bill which was a single-clause Bill providing that notwithstanding anything to the contrary in any text of Hindu law or custom, the marriage of a member of one caste with a member of another caste or any other sub-caste is valid. Therefore, so far as Hindu society is concerned, persons from any caste or community can marry any person from any other community or caste. Only a man cannot marry a man and a woman cannot marry a woman. Therefore, if the Hindu law, as amended, permits inter-caste marriages, it stands to help to consolidate the Hindu society. Similar provisions exist in the Christian Marriage Act, Parsi Marriage Act, the Buddhist law which follows the Hindu law and so on. Difficulty arises, in the absence of provisions as in the Special Marriage Act, when inter-religious marriages have to be solemnised. Therefore, this Act may be used by those persons who belong to different religions, and who celebrate and solemnize marriages, without disowning religion. I would appeal to persons belonging to other communities as far as possible to respect and continue their customs except in cases where anything is contrary to their conscience.

It is argued here that marriage is not a divine institution. I do not want to place it so high. But, all the same, I would like to urge upon all Members belonging to all sections to consider if marriage is not essentially a human institution. There are no marriages among animals. We are evolving from the animal stage where promiscuity is the rule. Here some people say, but I do not admit that it is right, that we have introduced a progressive piece of legislation. I am asking them to consider and also all Members to consider whether going back to promiscuity is progress. Therefore, if anybody can marry anybody else and he has only to declare with fourteen days' notice that he intends to marry another, that there is no spouse living, you can very well go to the Registrar and say, I am your wife and you are my husband.....

An Hon. Member: Why not?

Mr. Speaker: Order, order.

Shri M. A. Ayyangar: I am coming to "why not".

Mr. Speaker: I may just remind the House that the time given for the third reading is a limited one. I find

[Mr. Speaker]

a large number of Members are anxious to say something. They should get a chance. If interruptions continue, the speaker will be justified in continuing longer, with the result that the other Members will be crowded out. I should request the Members not to interrupt and the speakers not to take an unduly long time.

Shri M. A. Ayyangar: I would not take much time.

Dr. Rama Rao (Kakinada): On a point of order, the, House has almost accepted the Bill. Can one hon Member say that the Bill encourages promiscuity within the meaning of the Bill?

Mr. Speaker: I see no point of order in it. It is only an expression of opinion which the hon. Member has given here. The scope of the third reading is well known. It is restricted to the changes made during the clause by clause stage. But, even at the third reading stage, an hon. Member is perfectly within his rights to say, I oppose the Bill, it must be thrown out. In maintaining his opposition to the Bill he is entitled to set out, not at length, but in short, the various grounds on which he objects to the Bill. Therefore, it is competent to take objection to what was said or what was passed even at the second reading or clause by clause stage of the Bill.

Shri M. A. Ayyangar: My object is not to condemn the Bill, but only to say that as much inducement should be given to persons to marry as far as possible and as much regulation and restriction should be placed against their separation. The institution of marriage has worked very well all over the world. It is essentially an institution brought about in the interests of law and order, in the interests of peace and amity, and marriage, according to us, is not for the purpose merely of sex, as was said here, and not merely for companionship. (*An Hon. Member*: Who said?) It involves the production of children. We ought not to leave a legacy behind which will be a liability on the coming generation. Society depends upon the quality of its citizens and on proper citizens coming into being. That is ignored if the parties can come together as they like and if they do not like, liberty is given to them to separate and they can go away. In between, they might have created liabilities for the State to take care of by way of children. Is that right? I only say it may be right under particular circumstances. My object is not to condemn the Bill as a whole, but to say that in its application, people should have that other fact about children before them, and that we are now legislating for cases, exceptional cases, where marriages have to take place against the ordinary law or in contravention of it. Normally, the law must contribute to the growth of society, it must induce people to marry and not induce them to separate. These will be the considerations both before the public and also before the courts in trying to grant decrees for nullity or divorce.

Now, regarding solemnisation of the marriage you know a member elected to a Panchayat Board, or a District Board or a Legislative Assembly or to Parliament, takes a solemn oath of allegiance to the Constitution. In marriage, two persons, the husband and wife are brought together. Even in a partnership in a small, petty trade, two persons have to engross on stamp paper, and it is very difficult for them to separate without notice. If I take a house on rent, the landlord must give notice of termination for fifteen days: if I take a yearly lease, for six months. But in the marriage contract under this Act there is no solemnity prescribed under this Act. People can go and stand before any Registrar of any religious denomination and say:

"I take you as my lawful husband", or "I take you as my lawful wife". And is it not necessary for this to be a life long union so that the children may live with both the parents may copy their example, and may in future become heroes and heroines of our country? What stands in the way of making a solemn declaration that they will live together for life? It is not inconsistent with ultimately getting divorce in exceptional cases. Neither party is bound by the oath for all time. This is not inconsistent with obtaining divorce later. I would have very much welcomed an oath or declaration—whether they believe in God or not—or a solemn affirmation: "We shall live together. Our hearts have mixed like the Jamna with the Ganges, like water with water. Let us not try to separate." I am sorry that has not been included in this Bill. (*Interruptions*)

So far as separation is concerned, I understood from Shrimati Jayashri Raijee, who wanted an opportunity to speak but did not get it yesterday, that the All-India Women's Federation themselves were against divorce by consent. They wanted some limit, that within a year divorce ought not to be allowed, so that opportunity may be given to them to reconcile with each other. I hope that would not be brought into force.

Now, take one instance. Some exception was taken to the decree not being based on ground of collusion, *i.e.*, if there is collusion between the parties. Some hon. Member here took exception and wanted to have the word "collusion" deleted. We will assume that at the time of marriage, the husband is a very rich man. The wife marries him with love and affection for life. Suddenly he becomes a pauper, a bankrupt, losing all his wealth in business. Suppose she says: "I married you at a time when you were rich. I can no longer serve you." Is this what has been taught to us by the Ramayana? Sita married Rama at a time when he was the son of Dasaratha, and supposing at the time she had to go to the forest she had said: "I am the daughter of Janaka. I will go back to my father's house". (*Interruptions*) Therefore, this is against all the traditions that we have imbibed and inherited. It is not as if other institutions have to be copied. There is a world of difference.

I also want to just avoid an impression that I am a red hot or diehard conservative. I went to Canada, and you, Sir, were also there. I was taken to a house so that we may know something of their family life. A young woman was there I asked her: "How long does your husband stay away from you?" She said: "He is employed in the Rubber Tyre Company. He goes away for a fortnight at a time". I asked her: "What will you do if he does not come after a fortnight?" She said: "I will chase my husband and bring him back to my house." I asked her: "Why don't you divorce him?" She said: "My mother divorced my father ten years ago and the children were left in the lurch. It is only last month we induced our father and mother to remarry and we are happy today." Do we want that?

Again, I read the other day there is one young lady who married the daughter of a high personage (*interruptions*)—I am sorry, the son. The daughter is most prominent because they want equal rights and status. Now the son of the high personage was married to some lady, some cinema star. But then, she divorced him or he divorced her, and she married another. I read the news in the newspaper that two children of hers were picked up in the streets, having been left by her in some hotel to be taken care of, herself having gone away on her honeymoon with a new husband. Do we want to repeat that story here? I am very sorry. What is the meaning of merely copying a thing which is being experimented upon in another country? We

[Shri M. A. Ayyangar]

have had experiments in our own country. Read the *Mahabharata* as to why all the women in a particular village were married to all the men in the village. Gradually, a woman could marry a number of men, a man could marry a number of women at a time.....Today, we are introducing monogamy, but a man cannot marry simultaneously five women and a woman cannot simultaneously have five husbands but one after another. That is, polygamy is repeated, polyandry is repeated. What is this, another form? Physically, it is impossible for a man to have five wives at a time, nor is it physically possible for a woman to have five husbands at a time, but the same thing is repeated. I can marry and divorce and re-marry a year later, and before I close my eyes, I can marry fifteen times. Is it not polygamy? Is it not polyandry? What is it that we are about? How are we advancing in the ladder of evolution? We are getting back to the law of the jungle. I would not cast any aspersion.

Anyhow, we have passed this legislation. My interest is only to see that to the best of our ability we raise the moral standard in our country and see to it that domestic happiness is restored and conserved. It is for that that Vatsyayana wrote the *Kama Sutra*. I am not giving to refer to many other things. When the *Maharishi* wrote the *Kama Sutra*—there were the *Dharma Shastras*, there were the *Artha Shastras*—he put the question to himself as to why a *Maharishi should* write the, *Kama Sutra*. He said: "Are *Kama Sutras* prevalent among the animals? Are they wiving and having *sringara rasa* there". It is only man who covers himself and woman who covers herself, and with all the riches and all the power outside, husband and wife fight like cats and dogs at home. Is it not to be regulated? Under these circumstances, our people thought that if two people wanted to come together and marry, no opportunity should be given to them on a small pretension or pretext to go out.

It was again said this was a permissive legislation. I find that this word is used again and again not in its proper import. If it is permissive, why don't you allow a man to marry his sister? It is also permissive. But, are you not imposing restrictions? Restrictions are necessary in one case, they are not necessary in the other case. Why should you have the prohibited degrees of marriage? This argument is not sound at all. It is not really permissive. Am I to be allowed to commit suicide? No. There is legislation that I ought not to. The Penal Code imposes punishment. In the circumstances, it is not proper to say that this is permissive legislation. Why don't you allow a minor to marry? Why should you raise the age to eighteen?—because, the minor will not be able to judge his own future.

It was said again and again that sex is not in the bargain. If it is not so, I would have no quarrel. Divorce would not come in so far as old people are concerned, after sixty. (*Interruptions*).

An Hon. Member: May come.

Shri M. A. Ayyangar: In between, young men and women with plenty of youth marry, and the moment the man goes and sees a cinema and comes back, he beats his wife because his wife is not as good as the cinema star. That is what is going to happen in our country.

Pandit K. C. Sharma (Meerut Distt.—South): To the cinema they go together.

Shri M. A. Ayyangar: Therefore, my fear is it is like changing coats and shirts. That is what is going to happen in our country. An army of unmarried women, an army of unmarried men, and children without

parents will come into existence in this country.

There are gospels. We swear, I swear by the Vedas. Others swear by the Bible, and there are those who swear by the Koran. And my friends swear by Marx. My Veda, the Bible and the Koran have stood the test of time. Marx has yet to stand the test of time. I have no quarrel. I would, therefore, urge upon all sections of the community not to go away with the impression that the less of the tie of marriage is there, the higher we rise in the ladder of evolution. Marriage is essentially a human institution which we have brought into existence. We have passed through various stages of getting women married. In Malabar, the *Marumakkattayam* law is obtaining. You do not know, Sir, that in the *Marumakkattayam* law, it is not the father that is spoken of. The man describes himself as the son of his mother.

Shrimati Renu Chakravartty (Basirhat): What is wrong in it?

Shri M. A. Ayyangar: Absolutely nothing wrong. Marriage is a very simple ceremony there. They give *pan* and there is marriage. And then they go straight to the husband and say: "I place this cloth," which is an indication of divorce. Do you want such cheap divorces? Why should people marry at all in that case? Further there, they, men and women alike inherit mainly the mother's property. Are we prepared to change over to that system?

Lastly, any kind of marriage between any man and any woman can produce children. Take the case of a race horse. Do you allow it to mix with a draught horse? Selection is made to ensure good quality of the progeny. But in the case of marriages under this Act anybody can mix with anybody and produce any kind of stupid children in this world! What is this? Is it only the eye, the nose and the face which should be the decisive factors in fixing a marriage? Are we reverting to the law of the jungle? Are we not to create a divine set of people who will be the future heroes and heroines of this country?

Notwithstanding the fact that prohibited degrees have been brought down, I do not know whether the next generation may not say that a brother can marry a sister. According to Mandal's law the idiosyncrasies of parents among animals will persist for generations. My friend Dr. Jaisoorya will support me in this. Is this law to be ignored in the case of man? A man must marry only a woman; he cannot marry a man. Is this all that counts?

In all humility, I am suggesting to my friends here and outside to consider this matter deeply. From the long speeches made here, it would appear that marriage is a purely feminine institution. How can a woman marry without a man? Man is as much responsible for marriage as a woman. It is as much a man's problem as a woman's. To bring in economic issues into this discussion is wrong. I support this measure but with this qualification that it must be used in a restricted manner, not abused, not misused. I am not attributing motives to anybody. All of us are jointly interested in bringing in a new state of society into existence, able to stand by itself, and we will be one of the topmost nations of the world.

May God bless us!

Shrimati Renu Chakravartty: May I make a submission? I did not want to disturb the previous speaker, but he has damned a whole section of our society, the Malayalee people, as promiscuous.

The second point I want to ask is whether people who have married under the Special Marriage Act of 1872 produced worse children than the hon. Member?

Mr. Speaker: In fact, there is no point of order or anything. The hon. Member can express her views if she gets an opportunity to speak.

Now, before I call upon some other Member of the House to speak I have to decide or announce the time of voting, because this discussion will be over at 1-45 p.m. Shall I fix it at 2-30: will it be convenient?

Hon. Members: Yes.

Mr. Speaker: So it is fixed at 2-30 after the lunch hour. That means the House will proceed to voting before Private Members' Business. It will be necessary then to sit a longer time, whatever it may be, as much time as is taken out of Private Members' Business—Private Members' Business may be given full time.

Then there is another aspect to which I wish to invite the attention of the House. Though I said some adjustments may be made in the allocation for purposes of better discussion depending upon the nature of the business before the House, it will be necessary to put through all the programme as settled by the Business Advisory Committee. In case it does not become possible to do so within the time at the disposal of the House, there is no other alternative for the House but to sit longer every day and make up the time and finish the business. I have no objection to a little adjustment here and there by half an hour or fifteen minutes. But we must bear in mind that we must make up the business.

Now I shall call upon Mr. Mukerjee.

Shri H. N. Mukerjee (Calcutta North—East): Mr. Speaker, I find some difficulty in following up my hon. friend the Deputy Speaker. I do not propose to emulate him.

[MR. DEPUTY-SPEAKER *in the Chair*]

I shall begin by saying that it is not often that we find ourselves happy when the legislative process in this House is concluded. But this time we feel that there has been some real good work done. In some respects we would have wanted to go even further than the Bill has gone, but we know that in the present set-up, where economic inequality and the spiritual deprivation which it inevitably entails is tragically widespread and impinges particularly on the women of our country, we cannot have that kind of really simple, effective and humane legislation that we want. Even so, Sir, the Special Marriage Bill registers a considerable advance in our present context and for that certainly the House can congratulate itself.

Sir, we have seen during this debate not only what everybody expected, namely strenuous arguments to the brief of obscurantism which were put forward by my friends like Mr. Chatterjee, but also a very much more perilous symptom, namely, the reactionary revivalism which is still rampant in the ranks of the Congress Party,—a revivalism to which almost unbridled expression was given by yourself when you were speaking from the floor of the House, a revivalism which had to be kept in check during the proceedings of this House by repeated interventions in the debate by the Prime Minister. Now, these interventions of the Prime Minister were highly welcome, but they showed very clearly that the Congress Party as a whole far from being a party of progress, is very different and all the force of its leader's personality and prestige had to be brought to bear repeatedly throughout the proceedings to ensure the Bill's passage without serious reactionary amendments. The speech which we have just heard underlines the fear that I am expressing and I think it bodes very ill for the party because it harbours within its ranks people who are socially so reactionary that they cannot possi-

bly take a human view of matters, that they cannot possibly be parties to that kind of reconstruction which we want in the life and economy of our country.

I do not wish to speak entirely in a vein of seriousness, because we have been discussing an institution which is so solid, which is so strong that we can afford to laugh at it. Just as a person can laugh at himself if he is self-confident about himself, so our society has laughed at the institution of marriage from time to time. You, Sir, perhaps know the nursery rhyme:

> "Needles and pins, needles and pins; When a man marries, his trouble begins."

I have heard somebody saying that the married estate is like a beleaguered fortress; those who are outside want badly to get in and those who are inside want equally badly to get out. Then, Sir, there was a wise Frenchman Montaigne who wrote in his *Essays*: "A good marriage would be between a blind wife and a deaf husband". There was a good Clergyman, Thomas Fuller; who advised:

> "Deceive not thyself by over-expecting happiness in the married estate. Remember the nightingales which only sing some months in the Spring, but commonly are silent when they have hatched their eggs."

Then there was the great Swift who wrote:

> "What they do in heaven we are ignorant of; but what they do not we are told expressly, that they neither marry nor are given in marriage".

I will give you another instance of what Dr. Johnson said when he saw a chap who had married a second time:

> "Alas! another instance of the triumph of hope over experience".

We have been able to laugh at marriage in this way. Society has formulated these proverbs and things of that sort, because after all it is an institution which has evolved spontaneously, naturally and inevitably out of life. It is really a symptom of the solidity of the institution of marriage. In actual fact marriage is a process of settling down, an assumption of generally humdrum responsibilities. Actually the frenzies and the felicities of love to which the world's great literature remains incontrovertible witness, belong to an ambit of experience which, generally speaking, knows neither cause nor cure. Law is meant for the generality of marriages which, whatever the facilities for divorce or the lack of it, are more than likely to endure as lifelong associations. It is, therefore, in this context that we have to look at the problem.

Why is it that we have to provide for certain changes in our marriage law? It is because, it is absolutely cruel, it is inhuman, it is derogatory to human dignity if we refuse reasonable facilities for divorce when marriage no longer can be continued on those terms which are self-respecting for human beings. We have heard arguments refusing reasonable facilities for divorce. Some Members have tried to invoke transcendental and sacramental reasons, and some Members have mentioned other kinds of reasons—technical and legal reasons. But, we have to remember that, if we refuse reasonable facilities for divorce, if this House—as the Prime Minister has pointed out yesterday—compels two people to live together against their will; if we compel them to live together and to have physical association when the spiritual tie between them no longer exists, it will lead to unhappiness and serious consequences. It happens in life—there is no getting away from it—that sometimes two people cannot continue to live together without very serious damage to themselves. Now you make them live together, and I say that is vulgarity of the lowest order. If we are going to justify such indecency and vulgarity

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on the strength of something alleged to have been sanctified by scriptural or juristic ideas of some time or other that is something which this Parliament would not accept. It is necessary for us to remember that we must not do anything which callously increases the unhappiness and the frustration which is there in society. I know that happiness is not a commodity which the law can dole out, but the object of this law is—as has been repeatedly pointed out—the minimisation of misery. It may not perhaps secure the maximisation of happiness without concomitant legislation in the social and economic sphere on a very large scale which the Government of today is not even prepared to contemplate. But, at least let us try to minimise the misery. That is why we are going to pass this legislation and that is why I say this House will wish it godspeed.

Then, Sir, the clause regarding 'divorce by mutual consent' has some under fire during this debate, but that is in truth the very best part of the Bill. I have heard it said repeatedly that it is unknown to what some people have chosen to call 'civilised' jurisprudence. Sir, a friend of mine with a flair for research tells me, quoting from Jackson's *Formation and Annulment of Marriage*, 1951 edition, pages 20 and 21, that divorce by consent was allowed in Roman law and in the 18th Century Prussian Code. There is provision for it in Muslim law and apart from the Soviet Union and China—countries for which Mr. Chatterjee and his friends have repeatedly expressed their distaste—Burma and, perhaps Indonesia also today have provided for it. Besides, even if divorce by mutual consent had been frowned upon by every system of what we might choose to call 'civilised jurisprudence', even if divorce by consent was frowned upon by hidebound lawyers and obscurantist reactionaries, we should incorporate it in our society, if that is how we feel our mutual relationship requires to be regulated and that is the conclusion which society has reached. There is no getting away from it. Divorce by consent is a matter which surely has been accepted rightfully by the House and will certainly be passed in a few moments' time.

I do not know if Members of this House like Mr. Chatterjee know that we find in the Soviet Union that the number of divorces is and has been very substantially lower than the number of divorces in the so-called western democratic countries even when the facilities for divorce are very much wider. It will be news to many of our friends here to know how the Soviet Marriage laws operate. I am quoting from a Soviet periodical called News, No. 13, July 1954—I got it from the Parliament Library—where a Soviet specialist on marriage laws, called Grigory Sverdlov writes:

> "In a normal, typical instance, marriage in the Soviet state is a lifelong union. It actually is that in the vast majority of cases, it is expected to be such by the people getting married, and this is the view of it upheld by Soviet public opinion and socialist ethics. And Soviet family law seeks to create every possible guarantee that marriages shall not be dissolved without real need."

Then he further says:

> "While lifelong marriage is the rule in the Soviet state, that rule certainly admits of exceptions. If it is seen that the couple cannot go on together, that the family cannot be preserved and termination of the marriage relation is a necessity, the law sanctions its being dissolved."

Then he says:

> "The law lays down only a general criterion—the criterion of the necessity of the divorce. This

criterion has been explained as follows in one of the rulings of the Supreme Court of the U.S.S.R.: a marriage shall be dissolved 'If on the basis of the concrete circumstances of the case the court reaches the conclusion that the divorce has been applied for from serious and well-considered motives and that continuance of the marriage would run counter to the principle of communist ethics and cannot provide normal conditions for the couple's life together and the upbringing of their children."

That, Sir, is the basic principle. Then he further says:

"Naturally, the presence of children in the family makes the court doubly careful. It causes it to consider with especial care whether there are really serious grounds for the divorce and whether, in the interests of the children, the family cannot be kept together. In many cases—but by no means in all—it tends to strengthen the arguments against granting a divorce."

Then he goes on to say:

"You ask whether public opinion in the Soviet Union is mobilised against anyone who wishes to leave his family and take another partner, whether everyone who obtains a divorce although he has children is regarded in this country as an 'absolutely worthless person'. I assure you we do not go in for any such misplaced rigourism in judging of human relationships. But our public opinion and our state do disapprove of individuals who are loose and irresponsible in their family life, who trifle with their family obligations and do not care how their conduct affects their children."

Sir, this is a very clear formulation. It shows how slanderous accusations are spread about the state of marriage laws in the Soviet Union and China. I am sure, if the real conditions are taken into consideration we shall see how they have got a really sensible society.

Now, Sir, I come to Indian conditions and have to say a few things. I do not see that there is any reason... (*Interruptions*).

Mr. Deputy-Speaker: There is somebody interrupting you.

Shri H. N. Mukerjee: Sir, I do not yield; I have not much time left.

In our country, we have no reason for fear or for worry; if our social institutions have real vitality, the extension of the area of freedom will not mean chaos, and liberty will not mean libertinism. If we have any faith in ourselves, I would not have spoken in the way you chose to do—I am sorry I have to say this.

I say also, what about our past. I know we could quote from Manu:

यत्र नार्यस्तु पूज्यन्ते रमन्ते तत्र देवता: ।

Where women are worshipped, there the gods find pleasure. But in spite of that, what is the total experience of Indian history? What is the lesson that we get? What is the net result of our social relationships? Is it not a fact that our women have suffered under all sorts of degradations? There is no getting away from it.

Several Hon. Members: No.

Shri H. N. Mukerjee: I would recall the lovely and great story of Sita. I would recall the lovely symbolism which Valmiki gives us. What was that symbolism? It was the beautiful story of Sita. When she was utterly weary of the repeated ordeal of fire to prove what was crystal clear, namely, her unimpeachable fidelity and integrity, what did she do? She asked for succour from Mother Earth, and she was received in her lap. That was the poet in Valmiki

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coming out, the poet who found himself much greater and superior to the social reactionaries, to the men who wanted just to keep up whatever the social pattern was at that time. That lovely symbolism is really something which we have got to bear in mind. (*Interruptions*).

Shri Nand Lal Sharma (Sikar): Sita is immortal even today.

श्री अलगू राय शास्त्री (जिला आजमगढ़--पूर्व व जिला बलिया--पश्चिम): राजपूताने की वीर रमणियों की कहानियां, पद्मिनी आदि की वीर गाथायें, वही पुरानी कहानियां तो आज हमारा इतिहास हैं ।

Shri H. N. Mukerjee: I do not yield. I have heard it said over and over again that this Bill is going to encourage polygamy and polyandry. I have heard this argument from people who, I thought, should have chosen their words differently. I do not know how anybody in this Parliament or anywhere else can take up an attitude different from what Jesus Christ did, when a fallen woman appeared before him, and when some of his apostles were trying to make fun of her, he said, "whoever is without sin among you, let him cast the first stone at her." I do not cast a stone at anybody. You Sir, are learned in our ancient lore. Our ancient civilization never cast stones at women. That is why we remember the *Panchakanyas*, who are Ahalya, Draupadi, Kunti, Tara and Mandodari.

अहल्या, द्रौपदी, कुन्ती, तारा, मंदोदरी तथा ।
पंच कन्या स्मरेन्नित्यं महापातकनाशनम् ॥

Shri Nand Lal Sharma: It is wrong quotation.

Shri H. N. Mukerjee: Read the life-story of these five girls and you will see there were blots in their moral escutcheon, but in spite of that, it shows what a really human approach our social forefathers had in those days, how really generous they were, and how really understanding of psychological problems they were. Read the *Mahabharata* any chapter of the *Mahabharata*, and you will find it is full of psycho-analytical lessons which even the modern age has not yet properly imbibed. What does it mean? It shows that our people knew that, of course, nobody can expect to be a perfect human being, and that nobody can expect to parade himself as a paragon of virtue and a paragon of perfection.

I expect Members of Parliament not to come and say, this is going to give a handle to all kinds of libidinous people. This measure has come on the agenda of this Parliament, because it is a human problem, it is a serious problem, it is an earnest problem, it is a really spiritual problem; if you care for the quality of the individual in this country, it is a problem which we have got to tackle. That is the problem which we are trying to solve in this particular way. That is why I say: let us not cast a stone at whoever happens to be before us, let us not cast aspersions on people who are likely or are not likely to take advantage of the provisions of this Bill. Let us examine the provisions of the Bill. Let us see in what conditions, and in what context, certain provisions are being incorporated in our legislation. Let us see how our marriage and divorce laws are going to be liberalised in a direction, which is the only human direction, the only decent direction, the only direction a generaus people can take, when it really feels it has got to go ahead, and the only direction which people with a real spark of human feeling in them can take.

That is why I am happy that after all we have reached very nearly the end of the story. We are passing a Bill, which is certainly by no means perfect, but which is certainly, in the context of today, a very substantial advance. It registers progress of a sort which we welcome very cordially.

Several Hon. Members *rose*—

Mr. Deputy-Speaker: Shrimati Jayashri.

श्री पी० एन० राजभोज (शोलापुर---रक्षित---अनुसूचित जातियां): मिस्टर डिप्टी स्पीकर, इस बिल के ऊपर मुझे भी कुछ बोलने का मौका मिलेगा ?

Mr. Deputy-Speaker: Yes. I shall call upon the hon. Member next.

Pandit Thakur Das Bhargava: May I request you to fix some time-limit, so that many Members may be able to speak?

Mr. Deputy-Speaker: Five minutes each. We have got fifty minutes more. Let us try this.

Shrimati Jayashri (Bombay—Suburban): I am glad to get an opportunity to speak on this Bill. The younger generation is attracted towards this special marriage, because it is more liberal in giving rights to women. In this, I agree with Shri H. N. Mukerjee who just now said that the present position of woman in our society is incompatible with her emancipation, with her very development as an individual. She has hardly any independent social or economic existence, and her position is considered only in virtue of her relation with man as his wife, mother or daughter. That is the reason as I said earlier, why the younger generation is attracted to this special marriage.

As in Russia, in India also we look upon marriage as a sacred thing. Marriage is an institution, and we, especially the Hindu women, would never like the marriage tie to be broken. We hate the idea of divorce, or the family breaking up. We know the difficulties that the women will have to undergo by divorce. Silent and dignified suffering is the badge of her sex. In advocating divorce, the desire is not to break up the home, but to make marriage more happy, and therefore, stable. At the same time we have to be very careful when we lay down the grounds for dissolution of marriage. If we are going to introduce clauses like divorce by mutual consent, which we passed yesterday, I am sorry to say that this Bill will mean more suffering to women and also to the children, because this provision will make divorces more easy. As you have mentioned, some of our women's organisations have protested against this innovation in this divorce clause. In the original Bill which we all supported, this clause was not there. As I said earlier, it is the women who will suffer hardships due to the introduction of this clause. It is from this point of view that I express my regret over introducing this new clause into this Bill.

From a little reading of books and newspapers, I know that easy divorce results in the suffering of children, and there is an increase in juvenile delinquency. So, we have to be very careful when we lay down the laws of divorce. Since we have already passed this clause, I would appeal to the Members to be very careful, when we lay down the laws in the next Hindu Marriage and Divorce Bill; because by that millions of our women are going to be governed. Under this mutual consent clause, really speaking, it is the women who will suffer. As Acharya Kripalani said, the women can be tortured to give consent, and even on trivial matters, people may seek divorce.

1 P.M.

In this way, our society, I am afraid, will be disrupted. We require a stable society for the implementation of our plan and it is a pity that we should have passed this clause in such a hurry yesterday. We should have been given a little more time and opportunity to discuss this clause. As I said, many women's organisations have sent telegrams, and the Law Minister has also received telegrams, disapproving of this clause. I have to put this matter before you because we recently had a meeting of

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the All India Women's Conference and there also we said that we should not support this clause. I am glad that I have got this opportunity to put this point of view before you.

श्रीमती मणिबेन पटेल (कैरा---दक्षिण) : उपाध्यक्ष जी, यह बिल जब से शुरू हुआ है तब से मैं समझने की कोशिश कर रही हूं कि इस का मन्शा क्या है और सब कुछ देखते हुए समाज को इस से लाभ होगा या हानि होगी, दुःख होगा या सुख होगा ।

कुछ माननीय सदस्य : दुःख होगा ।

दूसरे माननीय सदस्य : सुख होगा ।

एक माननीय सदस्य : दोनों होंगे ।

श्रीमती मणिबेन पटेल : इस में एक बात है जो मेरी समझ में नहीं आती है । कहते हैं कि जब पति-पत्नी में जमता नहीं है । अगर उन में से एक राजी न हो, तो वे जितनी जल्दी अलग हो जायें उतना अच्छा है । जब पुरुष ऐसा कहते हैं तो सुनते तो बड़ा ठीक लगता है, बहुत आसान बात मालूम होती है, लेकिन जो बहन अपने पति से अलग नहीं होना चाहती है उस को आप इस तरह से जबर्दस्ती क्यों अलग करना चाहते हैं, यह मेरी समझ में नहीं आता है । आप ने इस विधेयक में कहा है "डाइवोर्स बाई कन्सेन्ट" । लेकिन हमारी बहनें आज इतनी पढ़ी-लिखी नहीं हैं जितने कि आम तौर से पुरुष पढ़े लिखे हैं । हमारी बहनें अंगरेजी भी पढ़ी नहीं हैं और उन से जबर्दस्ती कन्सेन्ट लेने में कई खास मुश्किल नहीं होगी । और जब वकील उस से मिलेगा तब तो वह परेशान ही हो जायेगी । इस बुरी तरह से वकील लोग औरतों से सवाल पूछते हैं कि वह हाथ जोड़ कर कहने लगती है कि यह हमारी बेइज्जती है, हमारे पति की बेइज्जती है । आप यह न करें । इसलिये जहां तक डाइवोर्स बाई कन्सेन्ट का सवाल है यह मेरी समझ में नहीं आता है । इसलिये मैं विनती करती हूं कि अगर आप इस को पेश करते हैं तो यह भी सोचिये कि इस का परिणाम क्या होगा । अगर आप देखिये कि इस से हमारी अधिकतर बहनों को दुःख होगा तो मेहरबानी कर के आप इस को बदलें ।

आप को मालूम है कि अमरीका में कितनी आसानी से डाइवोर्स हो सकता है, दूसरे देशों में कितनी आसानी से डाइवोर्स हो सकता है । इसलिये वहां की लड़कियां यहां आ कर अपनी शादियां करती हैं, क्योंकि यहां पर इतनी आसानी से डाइवोर्स नहीं हो सकता है । क्या आप हमारे नवयुवकों के मानस को इस प्रकार का बनाना चाहते हैं कि यदि शादी से पहले उन से पूछा जाय कि भाई, तुम इस में क्यों पड़ते हो, यह शादी तुम्हारी चलेगी नहीं, तो वह यह कहे कि अगर नहीं चलेगी तो मैं तलाक दे दूंगा। डाइवोर्स कर दूंगा । मैं आप को बनी-बनाई बात नहीं, बल्कि एक सही बात बतलाती हूं । एक लड़के को उस के माता-पिता ने पढ़ने के लिये विदेश भेजा था । जब वह वहां से वापस आया तो, जिस लड़की के साथ उस का विदेश में प्रेम हो गया था उस से वहां उस ने शादी नहीं की थी । वह लड़की यहां आई, उस के वृद्ध दादा ने उस को समझाया कि तू उस से शादी तो करना चाहता है, हमारे रीति-रिवाज उस के रीति-रिवाजों से अलग हैं, हमारा खान-पान अलग है, हम मांसाहारी नहीं हैं, तू ने विदेशों में मांस नहीं खाया, वह मांस खाती है, तेरी उस से पटेगी कैसे ? तो उस लड़के ने जवाब दिया कि अगर नहीं पटेगी, तो हम अलग हो जायेंगे । तो शादी के पहले ही हम यह सब बातें शुरू करना चाहते हैं, तो फिर शादी करने की जरूरत क्या है ? जो लोग इस प्रकार से करना चाहें, करें. हमारे यहां बहुत से विवाह धार्मिक विधि से हो गये हैं, लेकिन उन के लिये भी आप कहते हैं कि रजिस्टर कराये जा सकते हैं । इस को मैं किसी भी तरह नहीं समझ पाती हूं । यहां पर जो पढ़े लिखे-लोग हैं, जो कि शहरों में रहते हैं । वे अधिकतर देहात के लोग हैं और वही अब पढ़ने के लिये परदेश जाने लगे हैं । जिस को आप माडर्न सोसायटी कहते हैं उस में घूमने लगे हैं, सिनेमा देखते हैं, किताबें पढ़ते हैं । वे लोग

सोचेंगे कि अगर हमारी स्त्री हम को पसन्द नहीं हैं तो हम अलग हो जायेंगे और इस कानून के अनुसार अपने को रजिस्टर करायेंगे । यह तो हो सकता है, लेकिन बच्चों का क्या होगा । हम ने आपनी आंखों से देखा है कि ऐसे किस्से होते हैं जिन में बच्चे परेशान होते हैं । मान लीजिये कि पति ने पत्नी को छोड़ देने का इरादा कर लिया, पति की बड़ी उम्र होगी तो वह जा कर दूसरी शादी करने के लिये अपने को रजिस्टर करायेगा और बाद में उस को छोड़ देगा । तो बच्चों का क्या हाल होगा ? कभी आप ने इस पर विचार किया है ? माता को बच्चे पिता से ज्यादा प्रिय होते हैं इस लिये वह तो छोड़ नहीं सकती, और पिता उस को घसीट कर ले जाना चाहता है । माता का आधार बच्चे ही होते हैं, उन्हीं के सहारे वह जिन्दगी गुजारती है, वह भी उस से ले जाना चाहता है । उन का विचार न कर के आप यह ऐक्ट बना रहे हैं । इस से समाज का कितना लाभ होगा यह तो मैं जानती नहीं, लेकिन इतना जरूर जानती हूं कि इस से काफी बहनों को दुःख होगा, क्योंकि आज तक जो हमारा समाज था उस को हम ने इस प्रकार से तोड़ दिया । हमारे यहां दुबारा शादी करने की इजाजत है, लेकिन उस में भी अगर दूसरी शादी करने के पहले पहली पत्नी मौजूद है तो दूसरी पत्नी लाने में संकोच होता था और वह दूसरी शादी करना नहीं चाहता था । मान लीजिये कि किसी आदमी के बच्चा नहीं होता तो पत्नी के दिल में यह चीज रहती थी कि मेरे नसीब में बच्चे नहीं हैं इस लिये उस के पति को दूसरी शादी करनी चाहिये । अब ऐसी कोई बात नहीं होगी । पूछने की कोई बात भी नहीं होगी, अगर किसी के बच्चे हों भी तो भी वह जबर्दस्ती डाइवोर्स ले लेगा । हमारी बहनें इतनी पढ़ी-लिखी नहीं हैं, उन में इतनी शक्ति नहीं है कि वह झगड़ा कर सकें । यदि आप कहते हैं कि आप इस कानून को हमारी बहनों को सुखी बनाने के लिये लाना चाहते हैं तो मैं सरकार से कहती हूं कि जो कुछ आप को करना है वह तो आप करेंगे ही, आप ने दो रीडिंग कर ही लीं हैं लेकिन आप को इस के असर को वाच करने की आवश्यकता है । आप को देखना चाहिये कि कुछ बड़े शहरों को छोड़ कर जो लोग हैं वे देहात के ही रहने वाले हैं । जब देहात वाले शहरों में आयेंगे तो वे सोचेंगे कि उन की स्त्री अच्छी नहीं हैं, उन की स्त्री पढ़ी-लिखी नहीं हैं, जिस को आप पालिश्ड कहते हैं ।

मैं आप को एक दूसरा किस्सा सुनाऊं । एक डाक्टर साहब इंग्लैंड गये । जब वह वापस आये, तो उन से पूछा गया कि आप की स्त्री हैं ? बोले, हां, हैं । तो उन से पूछा गया कि आप ने उस को पालिश करवाया था नहीं । या जब आप इतना पढ़-लिख कर आये हैं, तो कोई अंगरेज या एंग्लो-इंडियन बाई रखी हैं या नहीं जो कि आप की स्त्री को अंगरेजी पढ़ाये, उस के बाल कटवाये या नहीं ? तो यह पूछना तो एक मजाक की बात थी । लेकिन बात यह है कि आप इतने लड़कों को बाहर भेजते हैं, पढ़ने के लिये सीखने के लिये । जब वे वहां से पढ़-लिख कर आते हैं, तो सोचते हैं कि उन की स्त्री अब उन के काम की नहीं हैं और दूसरी शादी करना चाहते हैं । इसलिये आज मैं यह कहने के लिये खड़ी हुई हूं कि आप जरा सोचिये, समझिये कि इस बिल के पास करने से बहनों को फायदा होगा या नुकसान । अभी हमारे भाई ने कहा कि अर्जेन्ट ह्यूमन प्राब्लम हैं । मैं उन से कहती हूं कि जब बहनें कहती हैं कि हमें डाइवोर्स बाई कन्सेन्ट नहीं चाहिये तो इस का मतलब तो यह हो गया कि चूंकि यह आप के लिये अर्जेन्ट प्राब्लम हैं इस लिये आप इस को रखना चाहते हैं ।

मैं अब भी सरकार से कहती हूं कि अगर आज आप इस बिल को नहीं बदल सकते हैं तो मेहरबानी कर के इस के ऊपर ध्यान रखिये कि इस से समाज को कितनी तकलीफ होती है । अगर इस से तकलीफ हो, नुकसान हो तो इस को आप जल्दी से जल्दी बदलने की कोशिश कीजिये ।

Mr. Deputy-Speaker: Mr. Raghuramaiah.

Several Hon. Members rose—

Mr. Deputy-Speaker: I will call Members from that side also.

Shri Raghuramaiah (Tenali): I am one of those who support this Bill as it has finally emerged, of course, not exactly for the same reasons as my hon. friend, Mr. H. N. Mukerjee did. When I heard him I remembered an adage 'save me from my friends'. In this case, I rise to support the Bill in the same measure as he does, but I would like to forget what he said in support of it.

I must, at the outset, voice my very strong protest against some of the remarks made by him about the reactionary nature of this party. It is very unfair, I think, to make a remark like that against a whole party but for whose support this measure would not have reached the stage it has. The word 'reactionary', of course, has got a very peculiar meaning especially when it comes from my friend. Whatever he does not agree to is reactionary and whatever he agrees to is progressive. I was recently in China. There I found most of the women bobbing their hair. I found one who had not. I then asked a Chinese gentleman who was accompanying me how was it that it was very surprising that there was one who had not. He said, 'Don't you know she is reactionary?' Whenever a person exercises his individual judgment which does not strictly conform to the rule of conduct laid down, then it is reactionary I would ask Mr. Mukerjee: is this party which has given the liberty of action, the freedom to vote, reactionary or would he consider a Party which will never give freedom of action in any matter reactionary? I would look forward to the day when he, as leader of his own Party, would give freedom of vote in respect of any measure before this House. I am sorry, I have to make these remarks but I feel that the Deputy Leader of a Party should not descend to such levels as to castigate a whole Party as being reactionary. But, as I said, save me from my friends: I happen to travel in the same group as he does; so far as this Bill is concerned, but my support is for other reasons.

The main objection, so far as this Bill is concerned, has been concentrated on the clause giving right of divorce by consent: People who object to it forget one thing: If their apprehension is that a man will coerce the woman to append her signature to a document which purports to be an application for divorce by consent, the man can still do it. There are a hundred other ways in which he can do it: Let us take sub-clause (a) of clause 27 which now enables a man or a woman to go to court and allege that the respondent has committed adultery. In England and other countries there are innumerable cases where actually no act of adultery is committed but, in order to facilitate an application for divorce, a fradulent statement is made or a fictitious entry is made in a hotel register and a self-condemning statement is made about having committed adultery and it is put forward as the cause for divorce. If a man in this country is capable of coercing his wife to subscribe to a statement that both of them desire divorce by consent without actual consent being obtained, or without consent being voluntary, what prevents that man from making a statement that he has committed adultery and therefore he would like to have divorce or what prevents him from coercing the woman to say that he has commited adultery and therefore she should be released from the marital bondage? The divorce by consent clause in this Bill is really intended to prevent fraud or fiction which, as I said, prevails in the western countries. More than that, even in such countries like England; it is well known that where people have not got the courage to face problems directly, they have got what is known as the fiction. They resort to all sorts of stories.

Acharya Kripalani (Bhagalpur *cum* Purnea): Is fiction better than adultery or is it worse than adultery?

Shri Raghuramaiah: It is for Acharya Kripalani to say whether adultery is fiction or a reality.

Acharya Kripalani: Which is better?

Shri Raghuramaiah: I cannot pretend to be an authority on the subject; perhaps, he can elucidate.

My point is this; that this particular clause is a frontal attack on the subject and prevents people from resorting to fiction or fraud. That is the most important thing. After all, it is no use saying that the moment there is this clause, the whole Hindu society will be destroyed. Hindu society has weathered many storms. It is not as if for the first time we are introducing divorce. I am quite conscious that under this Act others can also marry—people of different religions can marry. But, taking the Hindus, as my friend Mr. Venkataraman pointed out the other day, in Malabar you have got divorce and there are various other groups and communities in India among whom the custom of divorce is very widely prevalent. Instead of quoting cases from the United States and England, where the entire social structure is different why not we look into the cases of these communities and groups in this very country who have had this system of divorce and see how far this system of divorce has actually destroyed the social fabric? We have to depend on something more substantial and solid. Marriage is a sacrament; marrige is not lightly entered into.

Of course, as you, Mr. Deputy-Speaker, have said, it is possible to have at the time of the marriage a sworn statement, a solemn vow that the two shall never part and that they shall be together for life. But, as you yourself would have realised such statement or averment will not always stand the test of time. When two people marry, they invariably believe that they are going to live together to the end of their lives. Normally speaking, no man or woman marries with the intention of having a divorce. The fact that we take a vow that we would live together to the end of our lives will not help us. After marriage, so many circumstances arise, so many predilections arise and so many kinds of cruelty arise. In that case, what would happen? Mr. Deputy-Speaker, you were good enough to say that this would be a reversion to jungle law. May I know whether it would be a reversion to jungle law to relieve a man or woman of cruelty; will it be a reversion to jungle law to relieve a man or a woman from the.....

Mr. Deputy-Speaker: I am sorry I am sitting here and I am not able to explain from here. I have no objection to the grant of divorce: I have objection only to divorce by consent.

Shri Raghuramaiah: I just mentioned it incidentally, Sir.

I consider this Bill a progressive piece of legislation, a redemption from jungle law. You do not expect that two persons who are incompatible, that two persons who are suffering from misery should be forced to continue to live together. To me, Sir, that seems to be very barbaric and I think the sooner we get out of it the better it would be. If the choice is left to me, I would support a clause of this nature not only in this but in every other social legislation that comes before this House. I would do so because of my firm conviction that apart from other communities the Hindu community does not depend, so far as the seriousness of the marriage is concerned, on the existence or non-existence of a clause for divorce. In this, as in all other things, we have got to make changes. We cannot remain stationary. It is said that divorce is a terrible thing and that some people have tried it and they have come back to a state of society where no divorce is possible. I say, let us have our own experience. Let us see whether in our framework of

[Shri Raghuramaiah]

society such a flimsy attitude will be taken towards marriage. I have no apprehensions on this aspect of the matter.

There is one objection, of course, which is possible, and that is that although men may resort to this clause, considering the dependence of women for property purposes on men, women will not be able to resort to it in the same measure as men. There is some substance in it and the only remedy for it is not to stop this measure but to come forward with a measure which gives economic equality to women. Women should have the same rights to property as men have and the sooner that comes, I think, the apprehensions of the people here who are opposing this clause will be very largely removed.

I would specially make an appeal to our Law Minister, whom I must congratulate for having so ably piloted the Bill, and more particularly the part relating to divorce by mutual consent.....

An Hon. Member: He was against that part. Is the hon. Member ironical in his speech?

Shri Raghuramaiah: I am never ironical. When I am congratulating the Law Minister, I think the whole House agrees with me, because he deserves it. Whether he liked them or not, he really put forward all the clauses ably. That is the test of his sincerity. He was there to pollot the whole Bill and nothing but the Bill as it emerged from the Council of States.

I would appeal to the Law Minister to go forward with that Bill which gives women equality with men in respect of property rights, and the sooner it comes, the sooner the objection that is raised from the ladies' section will be removed.

श्री अलगू राय शास्त्री : उपाध्यक्ष महोदय, अब यह विधेयक कुछ क्षण के भीतर ही विधि बनने वाला है और मैं इस पर अब तक कुछ बोला नहीं हूं, मगर बहुत सोचने समझने के बाद मैं ने यह निर्णय किया कि मुझे भी कुछ कहना चाहिये क्योंकि हमारे यहां ऐसा कहा गया है : "सभा वा न प्रवेष्टव्या वक्तव्यं वा समञ्जसम्" या तो सभा में सम्मिलित न हो और हो तो अपनी बात जो ठीक समझते हो उसको जरूर कहो---तो मुझे उसके लिये यह मौका मिला है....

पंडित डी० एन० तिवारी (सारन दक्षिण) : नहीं मौका मिला तो ।

श्री अलगू राय शास्त्री : आपको तो मौका मिलना बहुत ही आसान है, कारण आपका जिस्म ऐसा है फौरन आंख पकड़ लेता है, हम तो दुबले पतले आदमी जरा पीछे रह जाते हैं । खैर, मेरे ऊपर भी निगाह पड़ी, जिसके लिये मैं उपाध्यक्ष महोदय का बहुत आभारी हूं । अब प्रार्थना है कि जरा शान्ति से दो मिनट मेरी बात सुन लीजिये ।

बार बार इस भवन में औरों के द्वारा और नेता की ओर से भी कहा गया---और जो सुधारवादी लोग हैं और इस मामले में अग्रगामी कहलाते हैं उनकी ओर से कहा गया है---कि हिन्दू समाज रीति रिवाजों और परिपाटियों में जकड़ा पड़ा है और जरा भी आगे बढ़ने को तैयार नहीं है और इस कारण यह तमाम ऐसे मेजर्स हमारे सामने लाये जाते हैं जो समाज को प्रगति देने वाले हैं और उसके लिये उदाहरण के रूप में कभी चीन की प्रगति बतलायी जाती है, कभी सीलोन की प्रगति बतलायी जाती है और कभी बूझा की सुनायी जाती है, मानों संसार का हर एक देश अग्रगामी है और प्रतिक्रियावादी और पीछे चलने वाला अगर कोई समाज है तो वह हिन्दू समाज है जिसकी सभ्यता और संस्कृति सदियों की है और हम सुनते आये हैं और हमारे कानों में यह आवाज हमेशा से पड़ती रही है : "एतद्देशप्रसूतस्य सकाशादग्रजन्मनः ॥ " स्वं स्वं चरित्रं शिक्षेरन् पृथिव्यां सर्वमानवाः ॥" ऋग्वेद की संहिता ने और हमारे प्राचीन

साहित्य ने सारे विश्व को पथ दिखाया है। जिस जाति और जिस संस्कृति ने नारी जाति का इतिहास सामने रखा जिसमें हम देखते हैं कि पद्मिनी सरीखी वीरांगनाओं ने अपने सतीत्व की रक्षा के लिये अपनी साथिनों समेत बलती चिताओं में अपने को हवन कर दिया और हमारी जिन वीर रमणियों का इतिहास हमारे नारी इतिहास के गौरव को बढ़ाने वाला है आज उस जाति को प्रतिक्रियावादी बता कर उसका उपहास किया जाता है और सारे अनाचार को फैलाने वाली चीजों को रख कर इनको अग्रगामी स्टेप्स बता कर हमें कोसा जाता है तो हमें बहुत दुःख होता है। इसको सुनते सुनते मैं थक गया, तब मैंने सोचा कि आज मुझे कुछ कहना चाहिये और स्पष्ट करके कहना चाहिये। इस बिल में मैं यह नहीं कहता कि कुछ विशेषतायें नहीं हैं। विवाह की एक ही पद्धति नहीं है, शास्त्रों में आठ प्रकार के विवाहों की प्रथायें दी हुई हैं, मगर उनका अपना अपना स्थान है। गंधर्व विवाह का वह महत्व नहीं है जो दूसरे विवाहों का है। इसी प्रकार दूसरे और भी प्रकार के विवाह हैं, जो कहने को तो विवाह हैं लेकिन उनका वह गौरव नहीं है। इस विशेष पद्धति को सबसे आगे समाज को ले चलने वाली विवाह पद्धति बतलाया जाता है, इस पर मुझे एतराज है। कौन सी ऐसी चीज है जो अगर हम प्राचीन साहित्य में तलाश करें तो हमें न मिले। इतिहास हमें बताता है कि भरत का जन्म जिस विवाह से हुआ वह गंधर्व विवाह था। शकुन्तला और दुष्यन्त का विवाह गंधर्व रीति से सम्पन्न हुआ था और जिनके भरत नाम का पुत्र उत्पन्न हुआ और जिसके नाम पर आगे चल कर इस देश का नाम भारतवर्ष पड़ा। इस प्रकार हमारे शास्त्रों में कितने ही प्रकार के विवाह हमें मिलते हैं, मगर प्रश्न यह है कि जिस चीज को ले कर हममें से कुछ लोग एतराज करते हैं वह प्रश्न है इमफैसिस का। विवाह की एक ही पद्धति नहीं हो सकती है। जैसे हमारे भाई रघुरामैया कहते हैं हमारे देश में हिन्दुओं में ऐसी बहुत सी जातियां हैं जिनमें तलाक भी है, पुनर्विवाह भी है और विधवा विवाह भी है, लेकिन कुछ जातियां ऐसी हैं जिनमें यह चीजें नहीं होतीं और जहां नहीं हैं उसके भी महत्व को देखना चाहिये और यह नहीं होना चाहिये कि उस जाति या वर्ग के लोगों को प्रतिक्रियावादी बता कर सबके लिये उस प्रकार का दरवाजा खोल दें। जो साहस करके विरुद्ध बात करें उनको प्रतिक्रियावादी कहना अनुचित है। विवाह की जो पद्धति सब से अधिक अभिप्रेत है उसमें यह श्रुति आती है :

"प्रजातन्तुम् मा व्यवच्छेत्सीः"

तात्पर्य यह है कि वंश का लोप न हो। विवाह जो होते थे इस दृष्टि से होते थे कि वंश लुप्त न हो। ऐयाशी के लिये सुख कामना और इंद्रिय भोग के लिये विवाह की कल्पना नहीं की गयी है। विवाह की कल्पना उस आधार पर की गयी है जो कि श्रुति में बतलाया गया है :

"प्रजातन्तुम् मा व्यवच्छेत्सीः"

मेरा विस्तार हो और उस विस्तार में मातृ शक्ति को नमस्कार करने का महत्व हमारे सामने आता है। मातृत्व भाव की महिमा हमारे सामने रहती है। मातृ शक्ति वंश की परम्परा को कायम रखती है, संस्कृति को कायम रखती है और वंश रूपी वृक्ष को चलाती रहती है। यह कहना कि विवाह बिना प्रेम नहीं होता किसी हद तक ठीक है लेकिन मैं आपको बतलाऊं कि उस प्रणय के मूल में वही संतति है। हमारी सरकार को इस विवाह के झमेले में पड़ने की क्या आवश्यक्ता पड़ गयी, वह क्यों इस परेशानी में पड़ी, सरकार के सामने भी वही संतान की देखभाल की समस्या है। प्रेम तो हो गया और आंखों ही आंखों में सब बातें हो गयीं और शादी भी आपस में हो गयी और वे हनीमून मनाने के लिये चले गये। परन्तु इसके फलस्वरूप जो बच्चा उनके पैदा होगा समस्या तो उसकी है कि उसका क्या होगा ? कर्दम और देवहूती की समस्या नहीं है, समस्या तो समाज के सामने उनसे उत्पन्न होने वाले कपिल की थी। आज भी समाज और राष्ट्र के सामने समस्या उस बच्चे की है जो उस प्रणय का परिणाम होता है। उसके ऊपर निगाह है और

[श्री अलगू राय शास्त्री]

हमारे श्रुतिकारों ने भी संतति के ऊपर महत्व दिया है। आदमियों के मनचलेपन पर कोई जोर नहीं दिया, उनकी काम पिपासा तृप्त करने पर कोई महत्व नहीं दिया और विवाह का सम्बन्ध इस दृष्टि से स्थापित होता था कि समाज कैसा बनेगा, प्रजा कैसी बनेगी और आज भी देश और समाज का ध्यान इसी ओर होना चाहिये कि राम का दोहन कैसे होगा, समाज में कृष्ण का दोहन कैसे होगा, समाज में अभिमन्यु का दोहन कैसे होगा और स्पष्ट है कि ऐसा आदर्श समाज दूषित चरित्रों के परिणाम से नहीं बन सकता है और उसको उच्छृंखलता के लिये स्वतंत्र नहीं छोड़ा जा सकता है और इसीलिये विवाह को उचित महत्व दिया गया और हमारे यहां सुमंगली की प्रथा इसी दृष्टि से है जो बहुत उच्च आदर्श उपस्थित करने वाली है। यहां पर स्त्रियों को समानता देने का बहुत दावा किया जाता है लेकिन जब मेरे मित्र पंडित ठाकुर दास भार्गव पत्नी को पति की जायदाद देने की बात करते हैं तो उसको हम मानते नहीं, वह तो मानने की बात है। हां, तो सुमंगली प्रथा में मैं बतला रहा था कि "इषे एक पदीभव" का आदर्श निहित है। पति का पहला चरण उठते समय पति पत्नी से कहता है कि तू अन्न के अर्जन में मेरे साथ कदम उठाओ, हम साथ मिल कर कमायेंगे, हम जायदाद इनहैरिट करने वाले नहीं हैं, बाप दादों द्वारा छोड़ी गयी सम्पत्ति को इनहैरिट करना अनावश्यक है, हम एक साथ मिल कर जीवन पर्यन्त निर्वाह करें।

"ऊर्जे द्विपदी भव। रायस्पोषाय त्रिपदी भव। प्रजाभ्यः चतुष्पदी भव। पशुभ्यः पंचपदी भव। ऋतुभ्यः षट्पदी भव। सखे सप्तपदी भव" इस तरह से विवाह में पति पत्नी अपने उत्तरदायित्व को पहचानते हैं। एक प्रथा होती है जिसमें पति पत्नी की मांग में सिंदूर भरता है तो अपने हाथ में सन लेता है, और वह भी मिला कर उसकी मांग भरता है और उपस्थित लोग आशीर्वाद देते हैं। वह एक प्रतीक है, सिम्बल है कि तुम मेरे साथ जीवन पर्यन्त वृद्धावस्था तक यष्टिका ले कर चलने वाली जर्जर अवस्था तक साथ साथ रहो। उसमें यह कहा जाता है कि जब तू ऐसी अवस्था को प्राप्त हो जाय कि तेरे केश ऐसे श्वेत हो जांय जैसे सन के लच्छे होते हैं उस वृद्धावस्था तक साथ रहने की प्रतिज्ञा करता है। जिस जाति ने ऐसी कल्पना की हो और जिसके ऐसे आदर्श रहे हों उस जाति के लोगों को प्रतिक्रियावादी बता कर उच्छृंखलता का प्रचार करने वाले लोग अपने को अग्रगामी कहें तो यह लज्जाजनक बात है और समाज के लिये अभिशाप है। लोग कहते हैं कि हिन्दू समाज बिल्कुल नहीं बदला, दुनियां बदली, सब कुछ बदला, लेकिन हिन्दुस्तान वहीं का वहीं है। हम ने देखा है कि बाढ़ का पानी आता है, नदी के मिट्टी के कगार को काटता जाता है, हम ने देखा है कि पेड़ बहते चले जाते हैं, जिन लोगों ने नगरों और गांवों को बाढ़ के पानी में बहते देखा है वह लोग अच्छी तरह जानते होंगे कि ग्रेनाइट राक्स पानी में नहीं बहे। हजारों मन पानी उस के ऊपर से निकल गया, लेकिन वह वहां का वहीं है। हिन्दू जाति अपनी जातीयता के गौरव पर, अपनी प्राचीन संस्कृति की महत्ता पर आज तक स्थिर है, उस को कोई बिगाड़ नहीं सका। मुसलमान उस को कम नहीं कर सके, औरंगजेब उस को फना नहीं कर सका, कोई भी दूसरा उस को फना नहीं कर सका। इस के ऊपर आश्चर्य करने वाले लोग दुःख ही मनाते रहेंगे और यह जातीय जीवन ऐसे ही गौरवपूर्ण सदा रहेगा, चलता जायेगा, इसे कोई मिटा नहीं सकता है और इसीलिये मैं कहता हूं कि जो हमारा प्राचीन आदर्श है उस का उपहास न कीजिये, उस का मजाक न उड़ाइये। इस स्पेशल मैरेज बिल से हमारी मैरेज को बटरफ्लाई मैरेज न बनाइये। इस प्रकार से दुनियां में दो लोगों का प्रेम हो जाय और वह युवक और युवती जब चाहें विवाह कर लें, जब चाहें अलग हो जायें, इस का रास्ता न खोलिये। इस प्रकार के प्रतिबन्ध लगा कर, जो लोग इस तरह से रहना चाहें उन को हम रोक नहीं सकते हैं, समाज को, एक राष्ट्र के ढांचे में नहीं ढाला

जा सकता हैं । आप ने बहुत तरह की बातें सुनी होंगी, लेकिन मुख्य बात यह हैं कि जो लोग इस पुराने विचार के हैं, जो पुरानी पद्धति को मानते हैं, उन की हंसी न कीजिये, उन का उपहास न कीजिये और कदम ऐसा बढ़ाइये कि जिस में युवकों के ऊपर और युवतियों के ऊपर अपने आत्म संयम का कोई महत्व सामने आवे ।

—"ब्रह्मचर्येण कन्या युवानं विन्दते पतिम्"—

ब्रह्मचर्य का व्रत ले कर युवती कन्या युवक का वरण करती हैं । आदर्श विवाह यह हैं । जब वह विवाह करती हैं युवावास्था में तो यह समझ कर करती हैं, इस आदर्श को समझ कर करती हैं कि वृद्धावस्था में भी वह दोनों साथ रहेंगे ।

अगर आप एक मिनट और दें तो मैं एक कहानी सुना दूं । आचार्य कृपालानी ने वह कहानी मुझे सन् १९२७ में सुनाई थी । उन्होंने विवाह पद्धति के बारे में बात कही थी । उन्होंने बताया कि एक स्त्री थी जिस का पति कहीं चला गया था । उस के मन में आया कि मैं दूसरा पति कर लूं । वहां एक बूढ़े मियां रहते थे । सब लोग संकट काल में उस से परामर्श करने जाते थे । उस स्त्री ने हिम्मत से काम लिया और बूढ़े से पूछने गई कि उस का पति १२ वर्ष से बाहर चला गया हैं । जब वह वहां पहुंची तो देखा कि बूढ़ा जार जार रो रहा हैं । वह बड़ी आश्चर्य में आई कि उस आदमी पर क्या मुसीबत आ गई । उस ने पूछा कि बूढ़े मियां, क्यों रो रहे हो । बूढ़े मियां बोले रो कर कि मेरे पास एक बधना था, उसी से मैं आवदस्त लिया करता था जब पाखाना जाता था ।

कुछ माननीय सदस्य : बधना क्या होता हैं ?

श्री अलगू राय शास्त्री : वह एक मिट्टी का लोटा होता हैं । बूढ़े ने कहा कि उस बधने ने ४० वर्ष तक मेरी सर्विस की । मेरे अपवित्र स्थान को उसी ने देखा, गुप्त स्थान को उसी ने देखा । अब वह टूट गया हैं, उस को मुझे बदलना पड़ेगा । मुझे गम यह हो रहा हैं कि अब इस स्थान को एक नया बर्तन देखेगा । यह कहानी और यह भावनायें एक मिट्टी के बधने के साथ लिपटी हुई हैं । तलाक और डाइवोर्स का मामला ऐसा लगता हैं कि आप इन चीजों का दरवाजा खोलने जा रहे हैं, और जो हमारे ऊंचे आदर्श युवक और युवतियों के सामने रहे हैं उन को मिटा रहे हैं । मेरा आप से कहना हैं कि आप ऐसे समाज की, ऐसी राष्ट्रीय और सामाजिक व्यवस्था की स्थापना न कीजिये जो कि उन प्राचीन आदर्शों को आदर्श न मानती हो ।

श्री पी० एन० राजभोज : उपाध्यक्ष महोदय, जो कानून बन गया हैं, जो नियम रखा गया स्पेशल मैरेज बिल के नाम से उस के बारे में लोगों का कहना हैं कि हिन्दू समाज और दूसरे धर्मों के लोगों के साथ जबर्दस्ती शादी कराने की व्यवस्था की जा रही हैं और इसी के लिये यह खास कानून रखा जा रहा हैं । मगर यह कानून किसी के ऊपर दबाव नहीं डालना चाहता हैं, किसी के ऊपर सख्ती नहीं करना चाहता हैं । यह तो लोगों की खुशी की बात हैं कि वह इस को मानें या न मानें यह कानून इसलिये बनाया जा रहा हैं कि जो लोग अपनी शादी धार्मिक कानूनों से नहीं करना चाहते, उन के लिये कोई दूसरा शादी का तरीका हो । धार्मिक कानूनों से शादी करने की किसी की इच्छा नहीं हैं तो उस के लिये कानून बनाना मेरे ख्याल में बहुत अच्छा हैं । हमारे हाउस के नेता इतने दिनों से समाज का सुधार करना चाहते हैं और इसीलिये उन्होंने इस कानून का समर्थन किया हैं । इस से मुझे बड़ा सन्तोष होता हैं । मैं जानता हूं कि हमारे चटर्जी साहब, और हमारे दंशपांडे साहब बड़े पुराने ख्यालात के हैं, इसलिये उन को अच्छा नहीं लगता हैं कि हमारे समाज का सुधार हो । लेकिन जिस देश का समाज इस तरह से सुधारा जाता हैं वह देश जल्दी तरक्की करता हैं । बहुत से कांग्रेस वालों को भी, जैसे हमारे श्री अलगू राय शास्त्री जी हैं या जो दूसरे पंडित लोग हैं, यह समाज सुधार अच्छा नहीं लगता हैं, लेकिन जब कांग्रेस का टिकट उन को मिलता हैं तब वह फौरन उस को ले लेते हैं । पर जब उन के नेता समाज का सुधार करना चाहते हैं तो वह कहते हैं कि नहीं होना चाहिये ।

[श्री पी० एन० राजभोज]

उपाध्यक्ष महोदय, मेरा कहना है कि जो याज्ञवल्क्य स्मृति हैं, या दूसरी स्मृतियां हैं वह बहुत पुरानी चीजें हैं, वह पुराने युग के लिये शायद ठीक रही होंगी, लेकिन आज तो बीसवीं सदी है। आज उन पुरानी स्मृतियों और पुरानी रीतियों की बात करना मेरे ख्याल से ठीक नहीं है क्योंकि पुरानी स्मृति और पुरानी रीतियों से हमारा देश आज खत्म हुआ जा रहा है। आज हिन्दू धर्म में जाति पांत का झगड़ा इतना बढ़ गया है कि हम अपनी मां बहनों का सुधार नहीं कर सकते हैं। इसीलिये हमारे डा० अम्बेडकर साहब ने जो हिन्दू कोड बिल रखा था उस को पास करने में दिक्कतें आ रही हैं। लेकिन मुझे बड़ा सन्तोष है कि यह बिल हाउस में आज आया है और इस से कई प्रकार के लाभ हैं। मेरे ख्याल से समान हक मिलते ही प्रत्येक हमारी महिला को, हमारी बहिन को कई प्रकार के लाभ होंगे। आज हमारे देश में जो मध्यम वर्ग है उस का सब से बड़ा फायदा इस बिल से होगा, लेकिन मैं चाहता हूं कि इस से सभी वर्गों का लाभ होना चाहिये। हालांकि यह बिल मध्यम वर्ग के लोगों को लाभ पहुंचाता है फिर भी मध्यम वर्ग वाले ही इस से नाराज होते हैं। वह इस का ख्याल नहीं करते कि उन को अपनी लड़की की शादी में कितना खर्च करना पड़ता है, कितना दहेज देना पड़ता है। जिस के पास पैसा है वह तो सब कुछ कर सकता है, असली दिक्कत मध्यम वर्ग के लोगों को है। मेरे विचार से पति और पत्नी दोनों की सम्मति की जो बात यहां रखी जा रही है उस में कोई खराब बात नहीं है।

इस में जो यह बात रखी गई है कि लड़की की उम्र १८ वर्ष की होनी चाहिये और लड़के की २१ वर्ष होनी चाहिये, इस से बाल विवाह जो हमारे यहां होते हैं वह भी बन्द हो जायेंगे। हमारे देश में कई प्रकार के बाल विवाह होते हैं, उन के ऊपर रीस्ट्रिक्शन होने चाहियें। जब तक यह रीस्ट्रिक्शन नहीं होते हैं, तब तक मेरे ख्याल से हमारे समाज का सुधार नहीं हो सकता है। मैं समझता हूं कि यह जो बिल आया है वह जाति पांत को नष्ट करने और सामाजिक विषमता को मिटाने में बहुत लाभ पहुंचाने वाला है। जो हमारे पुराने विचार के लोग हैं उन को समझना चाहिये कि आज दुनियां में सब देशों का ढांचा बदल रहा है और बदलने की जरूरत भी है, जो नहीं बदलना चाहते हैं और पुराने नारे लगाते हैं वह सिर्फ अपनी पार्टी की और अपनी लीडरशिप बनाये रखने के लिये ऐसा करते हैं।

मैं समझता हूं कि हमारे देश की पुरानी स्थिति, हमारे देश की पुरानी संस्कृति और ऋषि मुनियों की जो बातें थीं, उन से बुद्ध संस्कृति जो थी वह अच्छी है। बुद्ध संस्कृति आज ४५ करोड़ आदमियों की संस्कृति है। यहां की पुरानी संस्कृति खत्म हो रही है, बुद्ध संस्कृति बढ़ रही है, आज जो दोष हम में हैं, हमें उन को नष्ट करने की कोशिश करनी चाहिये। आज हम में जो सामाजिक विषमता है उस को नष्ट करना जरूरी है। इस के लिये हम चुप नहीं बैठ सकते हैं। आज दूसरे देशों में भी परिवर्तन हो रहे हैं, हम भी चाहते हैं कि जो हिन्दू धर्म है उस की विषमता दूर हो। कहते हैं कि भगवान हैं, दैवी देवता हैं, ऋषि मुनि हैं, हम कहीं पर जा कर बैठ नहीं सकते। आज हमारे देश में अस्पृश्यता बढ़ रही है। इस को नष्ट करने के लिये जो स्टेटमेन्ट हमारे प्रधान मंत्री ने दिया है उस में उन्होंने इन बातों का समर्थन किया है। हमारे ला मिनिस्टर साहब बिल लाये, आप ला के मिनिस्टर हैं, लेकिन फिर भी इस कानून का विरोध किया है, हमारे गाडगिल साहब ने विरोध किया। गाडगिल साहब अपने को बड़े भारी समाज सुधार के प्रणेता मानते हैं। उन की पहली औरत के बच्चे हुए, दूसरी औरत के बच्चे हुए या नहीं मुझ को पता नहीं, उन्हें इस बिल से डर लगता है। जो लोग ऐसे स्वार्थी होते हैं उन को देश की भलाई अच्छी नहीं लगती है और न धर्म की भलाई अच्छी लगती है। मुझे पता नहीं है कि हमारे अलगू राय शास्त्री जी की शादी हुई है या नहीं,

लेकिन ऐसे ही स्वार्थी लोग इस बिल का विरोध करते हैं क्योंकि इस कानून के पास होने से महिलाओं की उन्नति होगी। जब तक हमारी महिलाओं की उन्नति नहीं होगी तब तक देश आगे नहीं बढ़ सकता है। जो असली बात है वह यह कि हमारी महिलाओं की उन्नति शीघ्र होनी चाहिये और इसीलिये हमारे पंडित जी ने इस बिल का समर्थन किया है। इस बिल के पास होने से हमारे समाज के प्रत्येक अंग का भला होगा।

पंडित डी० एन० तिवारी : उपाध्यक्ष महोदय, मैं ने जितने भाषण सुने उनमें श्री रघुरामैया ने ही एक ठीक बात कही कि हिन्दू समाज ने बहुत से आनस्लाट्स बरदाश्त किये परन्तु नष्ट नहीं हुआ। मैं समझता हूं कि यह जो वेंकटारामन् और रघुरामैया आनस्लाट कपल्ड विद मुकर्जी आनस्लाट हैं इसको भी हमारा समाज बरदाश्त कर लेगा और छिन्न भिन्न नहीं होगा।

शुरू में जब यह बिल पेश हुआ तो मैं ने इसका स्वागत किया था क्योंकि हमारे समाज में चन्द इस तरह के लोग हैं जो किसी फोबिया में पड़े हुए हैं और उनकी दवा के लिए कोई रास्ता निकालना जरूरी था। इसलिये उन एफ्लिक्टेड लोगों को राहत देने के लिये इस बिल की जरूरत थी।

आचार्य कृपालानी : यह बीमारी कांग्रेस में बहुत घुस गयी है।

श्री अलगू राय शास्त्री : जब से लोग ज्यादातर कांग्रेस से निकलने लगे हैं तब से।

पंडित डी० एन० तिवारी : तो मैं कह रहा था कि उन लोगों को हमें रास्ता देना था। हम नहीं चाहते थे कि उन लोगों के कारण हमारा समाज गन्दा हो जाय। जो समाज के नियमों को नहीं मानना चाहता शायद हम उसको जबरदस्ती नहीं मनवा सकते, इसलिये उन लोगों के लिये यह बिल जरूरी था। ऐसे व्यक्तियों के लिये जो अपने मन से विवाह करना चाहें, अन्तर्जातीय विवाह करना चाहें, अन्तर्राष्ट्रीय विवाह करना चाहें या और किसी तरह से करना चाहें उनके लिये इस प्रकार के बिल की आवश्यकता थी। इसलिये हम नहीं चाहते थे कि इसका इतना विरोध हो। लेकिन यहां पर मोर साहब ने कहा कि शादी विवाह तो दो हृदयों के मिलन की बात है इसमें बीच में क्यों खड़ा हुआ जाय। मैं समझता हूं कि दो हृदयों के मिलने के अलावा शादी का असर समाज पर भी पड़ता है, बच्चों पर पड़ता है, भावी नागरिकों पर पड़ता है और इसलिये स्टेट को बीच में आना पड़ता है और इसके लिये कानून बनाना पड़ता है।

इस बिल में जितने प्रावीजन्स हैं उनमें से दो तीन प्रावीजन्स ऐसे हैं जो मैं समझता हूं कि बहुत हानिकारक हैं और उनको न पास होना चाहिये था। उनमें से पहला सेक्शन १५ है जिसके अनुसार इस कानून से पहले की हुई सेक्रामेंटल शादियों की रजिस्ट्री करायी जा सकती है। मैं नहीं चाहता था कि यह घोर मट्ठा किया जाय। मैं नहीं चाहता था कि समुद्र के पानी को एक नाले में गिराया जाय, मैं नहीं चाहता था कि गंगा के पानी को किसी दूसरी जगह गिराया जाय। जो शादियां हमारे यहां पहले हो चुकी हैं कोई वजह नहीं है कि उनकी सैंक्टिटी को कम किया जाय। उनमें कोई त्रुटि नहीं है। उनको क्यों रजिस्टर कराया जाय। इस सेक्शन से मुझे कोई फायदा नहीं दिखाई दिया। मैं अभी तक नहीं समझ पाया कि इससे लोगों ने क्या फायदा समझा हालांकि हानि की संभावना बहुत है।

दूसरी चीज जो मुझे पसन्द नहीं है वह है चैप्टर २ और तीसरी चीज जिस पर मुझे आपत्ति है वह है म्यूचुअल कंसेंट के द्वारा डाइवोर्स। हम मानते हैं कि हमारे यहां लोग माडर्न नहीं बल्कि अल्ट्रा माडर्न और अल्ट्रा प्रोग्रेसिव बनना चाहते हैं। हमने देखा और सुना है कि जो बहुत प्रोग्रेसिव देश हैं उनमें भी ऐसा लैजिस्लेशन नहीं है। लेकिन हमारे देश में वह हालत हो रही है जैसी कि देहातों में एक कहावत है कि नया मुसलमान प्याज ज्यादा खाता है। जो लोग यहां प्रोग्रेसिव बनना चाहते हैं वे बांध और

[पंडित डी० एन० तिवारी]

रास्तों को तोड़ कर आगे आना चाहते हैं । वे यह नहीं जानते कि बांध को तोड़ने से अच्छे अच्छे मकान भी गिर सकते हैं और वह रास्ता कूड़े करकट में भी ले जा सकता है । हमने केवल अपनी प्रोग्रेसिवनेस के फेर में आ कर इस डाइवोर्स बाई कंसेंट के क्लाज को पास किया है ।

दूसरी बात मैं चेप्टर ४ के बारे में कहना चाहता हूं जिसका चटर्जी साहब ने विरोध किया है । उन्होंने कहा है कि सेपेरेशन नहीं होना चाहिये । वह कहते हैं कि इस कानून के मुताबिक शादी होने पर आटोमेटिक सेपेरेशन नहीं होना चाहिये । मैं ने इसको नहीं समझा । एक कुटुम्ब में रह कर भिन्न भिन्न तरह की शादियां हमारे हिन्दुस्तान में नहीं चल सकतीं हैं । जो नई विधि से शादी करके परिवार में रहना चाहेगा उसका रहना मुश्किल हो जायगा और उस पर इतना लांछन आवेगा और रोज इतने झगड़े और तकरार होंगे और सिर फुडौअल होगा कि वह एक मिनट के वास्ते नहीं टिक सकेगा । इसलिये उनका सेपेरेट होना ठीक है ।

कहा जाता है कि इनहेरिटेंस में कुछ दिक्कत होगी । लेकिन मैं कहता हूं कि व्यक्तिगत सम्पत्ति ही आगे क्या रह जायगी जिस के लिये झगड़ा होगा । आप एस्टेट ड्यूटी बिल ला चुके हैं, आप सीलिंग फिक्स करने वाले हैं । तो फिर कौन सी सम्पत्ति रह जायगी । इसलिये मैं नहीं समझता कि इसका क्यों विरोध किया जाता है । एक दृष्टि से विरोध समझ में आ सकता था कि कानून इस तरह का बन जाय कि लाग् न हो सके और उसमें शादियां न हो सकें । इसको मैं समझ सकता हूं । नहीं तो अन्तर्जातीय और अन्तर्धर्मीय विवाह करके एक परिवार में रहना सम्भव नहीं हो सकता है । तो अब यह कानून पास होने जा रहा है । लेकिन मैं एक अपील जरूर करूंगा कि जो भाई म्यूचुअल कंसेंट द्वारा डाइवोर्स और ओल्ड मैरिजेज की रीजस्ट्री के लिये बहुत उत्सुक हैं वे जरा कांशन से काम लें और अपनी संतति पर निगाह रख के ही काम करें ।

Some Hon. Members *rose*—

Mr. Deputy Speaker: Now it is 1-45.

An Hon. Member: Three minutes.

Mr. Deputy-Speaker: Does the hon. Law Minister want to speak?

The Minister of Law and Minority Affairs (Shri Biswas): About ten minutes I want.

Mr. Deputy-Speaker: All right, the Law Minister.

Shri Biswas: Mr. Deputy-Speaker, when, a little over two years ago, I was speaking in the other House, moving for circulation of the Bill, I said I was feeling a sense of pride that it had fallen to me to sponsor this measure, as I regarded it as a step forward in social legislation and as a definite advance towards the objective embodied in article 44 of the directive principles of State policy. We are now nearing the day when the Bill will be on the statute book and I wish to take this opportunity to express my acknowledgment to Members of both the Houses for the support which they gave to me in piloting this measure through both the Houses. There may be certain features which were not a part of the original Bill, but which have been since introduced, but that does not mean that my original stand is at all shaken. I stand by the Bill —the Bill, with the addition of those clauses which had been introduced later, but they had been made subject to certain safeguards. In fact, it was more on account of the absence of safeguards, more on account of the rather inadequate consideration which had been given in the othe House when this proposal was first introduced, that I had to oppose it there. Now, Sir, the measure has been made certainly very much more acceptable.

My hon. friend Shri H. N. Mukerjee read out today from a Russian journal.

The principles which are enunciated in that article do not differ at all from the principles which I had been contending for and others are contending for. That is not an out and out support for divorce by mutual consent without any safeguards whatsoever. That definitely says that family life has got to be maintained and maintained as long as possible. Marriage is not just a thing to be trifled about, that the parties to the marriage may get out of it quite as easily as perhaps they might have entered into it.

An Hon. Member: What are you doing?

Shri N. C. Chatterjee (Hooghly): Russianising the law.

Shri Biswas: This is, I shall emphasize once again, a permissive measure, but it has to be a permissive measure because, as I had occasion to point out on the first occasion I spoke on this Bill, we cannot but hasten slowly. India is a vast country with diversities of culture, diversities of habits, diversities of customs and so on. Therefore, it will not all at once to impose a uniform code of law in any sphere of life. We have to hasten slowly. Therefore, the measure was purposely placed on a permissive footing.

My hon. friend Mr. Chatterjee waxed eloquent yesterday in his opposition to this Bill. Unfortunately, he spoke,—if I may say so with all respect,—somewhat inconsistently. In one of his flights of rhetoric he said: "Do away with this Bill, this pernicious measure; it has roped in Hindus, Muslims, everybody; it has trampled upon the personal laws of different communities; it has provided for registration, throwing a temptation in the way of one and all; it is likely to cause severance from joint family and what not," and of course, there was divorce by consent. Now, all this would show, according to him, that this was an unwelcome measure which ought to be thrown out without any compunction. In the same breath he went on to say: "Drop the Hindu Marriage and Divorce Bill."

Shri N. C. Chatterjee: The Law Minister has not understood me. I said: "When by a majority you are forcing this measure on the country, for heaven's sake be consistent."

Shri Biswas: I was only trying to point out his inconsistency. I should like to ask him: "What more does he desire? Should this Bill go, or the Hindu Marriage Bill go?"

Shri Nand Lal Sharma: .....Both should go.

Shri Biswas: Then, do not put the case on that alternative basis. That is inconsistent; not only is it inconsistent; a lawyer as he is, I should say that that part of his argument is also unlawyer-like.

Shri N. C. Chatterjee: I was not talking as a lawyer, but as a man of commonsense.

Shri Biswas: As a matter of fact, at the third reading stage either you support a Bill, or you oppose it; but you do not speak with two voices, opposing it for one purpose, supporting it for another.

Pandit Thakur Das Bhargava: As a lawyer he has divorced commonsense!

Shri Biswas: I can quite understand this sort of divorce by mutual consent!

Shri N. C. Chatterjee: Judicial separation!

Shri Biswas: I do not wish to take much time of the House. One other point which was raised by my hon. friend Mr. Chatterjee, not at the third reading stage, but previously, was about clause 19 relating to succession. Questions were raised as to what would happen to children born of the marriage prior to registration: whether the Succession Act will apply or the Hindu law will apply in the case of Hindus. The position is this. Let us take the case of *Dayabhaga* and *Mitakshara*, families separately. So far as a *Dayabhaga* family is concerned, the right to the property of the father does not arise till the father dies. Then there is no question of any share in

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the property vesting in sons. Till the father dies the sons do not acquire any interest. One of the sons marries. There is no question of severance from the family in the sense of severance in the *Mitakshara* family. Therefore, we are not troubled by *Dayabhaga* families. A *Dayabhaga* member marries under this Act. He has some children by the marriage prior to registration and then he has children after his registration. Now, when he dies will all the children share equally the property which he leaves behind? Now, I say all the children will share equally, because the right to succession accrues only upon the death of the father and as the father has married under this Act the Succession Act will apply so far as inheritance to his property is concerned and all the children, whether born before registration or after registration, will be entitled to succeed. Under the Succession Act they will equally be entitled to succeed to the property of the father when he dies.

About the *Mitakshara* family the position is slightly different. Marriage of a member under this law will cause automatic severance. The question is whether as a result of severance his sons also will be severed. We are dealing with the question of the right of the sons in respect of the father's property. If he has separate property he always owns the separate property, even when he was a joint member of the coparcenary. He had the separate property for himself and to himself. But when he severs, as a result of the severance, he becomes entitled to his interest in the joint family property. There is a sort of a partition and the exact share is determined and he practically walks away with a particular share in the joint property which becomes his separate property. This property with interest in the coparcenary which now is severed, becomes his separate property. Therefore, you do not speak of succession, excepting in property which is not joint property, which is a man's separate property or acquired property.

Therefore, the question arises whether sons born to such a *Mitakshara* member before partition would devolve also on those sons. I say it will. It will so far as the other members of the joint family are concerned, my hon. friend said separation of one member will cause an automatic disruption of the whole family. A particular case was cited. I have got that case in Mayne. That does not support the proposition he made,—the latest Privy Council decision.

Shri N. C. Chatterjee: That is the case of a man becoming Christian.

Mr. Deputy-Speaker: When one member goes out of the joint family, or effects a severance, are other members affected?

Shri N. C. Chatterjee: There is automatic disruption and that will affect the joint family.

Pandit Thakur Das Bhargava: This is statutory severance; not partition.

Shri Biswas: This matter has been considered by the Privy Council and a decision given. Let me read out from Mayne on Hindu Law.

> "It is now beyond doubt that a member of a joint family can separate himself from the other members of the joint family and is, on separation, entitled to have his share in the property of the joint family ascertained and partitioned off for him, and that the remaining coparceners, without any special agreement amongst themselves, may continue to be coparceners and to enjoy as members of a joint family what remained after such a partition of the family property. That the remaining members continued to be joint may, if disputed, be inferred from the way in which their family business was carried on after their previous coparcener has separated from them." This seems to be a

much more satisfactory method of dealing with the question than first to invoke a presumption of a general partition which was never intended, and then to superimpose upon it the second legal fiction of a reunion, which never in fact took place."

2 P.M.

Sir, that is the position on which I took my stand and that is why the Bill was drafted in this way.

Shri N. C. Chatterjee: The question is, when there is statutory severance effected by the language of section 18 or 19, can this principle be enforced?

Shri Biswas: Suppose it is raised in the Supreme Court, raised by my hon. friend there, there is nothing to prevent that. I am only giving you the intention which I had in view while framing this. Suppose there is a different decision by the court on it, if I am here, I will myself come forward with an amendment and make the position perfectly clear.

Sir I have already exceeded my time by ten minutes. I need not say anything more. I only say that the Bill has been accepted by all sections of the House. I hope the Bill will be worked in a satisfactory manner and all parties interested will see that the Bill becomes a success which it is desired to be.

Before I conclude, with your leave, I would like to move a verbal amendment. Sir, I beg to move:

(1) That the re-numbering and re-lettering of the clauses and sub-clauses consequential on the amendments made by the House be carried out together with correction of cross references,

(2) That the various definitions in clause 2 be re-arranged according to alphabetical order, and

(3) That the word "and" occurring in clause 16 in page 6, line 26, be omitted.

Mr. Deputy-Speaker: Before placing the Bill, as amended, before the House. I shall place the verbal amendment as moved by the hon. Minister.

Amendment moved:

(1) That the re-numbering and re-lettering of the clauses and sub-clauses consequential on the amendments made by the House be carried out together with correction of cross references,

(2) That the various definitions in clause 2 be re-arranged according to alphabetical order, and

(3) That the word "and" occurring in clause 16 in page 6, line 26, be omitted.

Pandit Thakur Das Bhargava: Sir, only the last portion may be put to the House. The other portion is only a matter of routine.

Shri Sadhan Gupta (Calcutta-South-East): Sir, it is not yet 2-30. Will you put the amendment to vote now? That is the point.

Mr. Deputy-Speaker: Is it the desire of the House that I should put it off for the present?

Sardar A. S. Saigal (Bilaspur): The Speaker has already decided that voting may be done at 2-30.

Mr. Deputy-Speaker: If the Speaker has already decided, then this will stand over till 2-30. Now we will take up other business.

INDIAN INCOME-TAX (AMENDMENT) BILL

The Deputy Minister of Finance (Shri M. C. Shah): Sir, on behalf of Shri C. D. Deshmukh I beg to move:

"That the Bill further to amend the Indian Income-tax Act, 1922, to provide for the assessment or re-assessment of persons who have to a substantial extent evaded payment of taxes during a certain period and for matters connected

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therewith, be taken into consideration."

Sir, the object of this Bill is to provide in the Indian Income-tax Act itself the machinery of investigating into substantial evasions of tax on the profits relating to the war period. Soon after the war the Government was faced with this problem and a separate law called the Income-tax Investigation Commission Act was enacted in 1947. One of the functions of the Commission appointed under that Act was to investigate into cases of tax evasion which may be referred to it by the Central Government under Section 5(1) of that Act, before the 1st September, 1948. The cases to be referred were only those in which the Central Government had *prima facie* reasons for believing that a person has to a substantial extent evaded the payment of taxation on income. There was another provision in that Act, namely, Section 5(4) under which the Investigation Commission itself may, without any time-limit require the Central Governmnet to refer to it for investigation the case of any person other than the person whose case had been referred to it under section 5(1) and was being investigated by it. The validity of this provision under the Constitution was challenged by the Supreme Court which delivered its judgment on the 28th May, 1954, holding that Section 5(4) of the Income-tax Investigation Commission Act and the procedure prescribed thereunder, in so far as it affects the persons proceeded against under that sub-section, which might have been a good law before the Constitution bring a piece of discriminatory legislation, offended against the provision of article 14 of the Constitution and was therefore, void and unenforcible. The result was that the Commission could no longer proceed with the pending cases under Section 5(4) and assessments already made on the basis of the Commission's report under that sub-section became void.

After the Supreme Court's judgment, Government gave anxious consideration to the problem whether Section 5(4) of the Income-tax Investigation Commission Act should be amended so as to remove its constitutional defects, or a provision be made in the normal law which has to deal with the investigation and assessment of these cases. The Supreme Court's judgment had held not only Section 5(4) to be invalid, but the whole procedure relating to the investigation and assessment of the cases thereunder. Government was, therefore, advised that if the Investigation Commission Act were to be amended it would require a complete overhaul tantamounting in fact to its re-enactment, and as such our enactment would only be prospective and not retrospective. The whole procedure of referring the cases afresh to the Commission and their investigation would have, therefore, to be gone through. The result would be, that a body like the Commission which was meant only for a short period to deal with a limited number of cases of substantial evasion will have to continue for a far much longer period. The other alternative was to make a provision in the normal Law itself, namely, the Indian Income-tax Act, 1922, for the investigation of cases in which there was substantial evasion of tax on the profits of war period and not necessarily confine to those cases which were referred under Section 5(4). The Income-tax Act already contains—as the House knows—a provision, namely, Section 34, under which, income escaping assessment can be assessed or reassessed. The period of limitation for initiating assessment proceedings in such cases is four years, where the under-assessment or allowance of any excessive relief was not due to any fault of the assessee, and eight years, where the evasion or concealment of income on the part of the assessee was deliberate. The cases of substantial tax evasion on profits of the war period from 1st September 1939 to 31st March 1946 were, however, beyond the time-limit laid down in this provision. If the time-limit was waived for these cases, they could be investigated and

assessed or reassessed under this section. Hence, Government thought it advisable and proper to amend this provision of the normal law, and this was done on 17th July 1954, by means of Ordinance No. 8. The present Bill seeks to replace that Ordinance.

[SHRI BARMAN *in the Chair*].

Coming to the provisions of the Bill, clause 2 inserts four new sub-sections in section 34 of the Indian Income-tax Act. New sub-section 1A deals with the assessment of income which has escaped tax. To avoid harassment to small assessees, a number of safeguards has been provided in the proposed new sub-section. These safeguards are as follows. First, the time-limit is waived only in respect of cases in which the income escaping assessment for the war period, i.e. from 1st September 1939 to 31st March 1946, is substantial; that is to say, the income-tax officer must have reason to believe that it exceeds Rs. 1 lakh for the whole or part of this period. Secondly, the income-tax officer must record his reasons for the belief that the income escaping assessment exceeds Rs. 1 lakh, and the Central Board of Revenue should be satisfied on such reasons recorded, that it is a fit case in which proceedings should be started by the issue of a notice under section 22(2) of the Indian Income-tax Act. Thirdly, there is no time-limit for completing an assessment falling under this sub-section, when once the proceedings have been started. But there is a time-limit up to 31st March 1956, before which the proceedings have to be started. No proceedings can be initiated after that date. With these safeguards, the scope of the new sub-section 1A is very much circumscribed, and nobody can object that the Government should not widen the scope of section 34 for a limited period to bring under assessment large incomes which have escaped assessment.

New sub-section 1B enables an assessee, on whom a notice for assessment is served under sub-section 1A, to apply to the Central Board of Revenue for settlement of his assessment. The period within which he can apply for settlement is six months from the date of the receipt of the notice, or before the actual assessment is made, whichever is earlier. The power of the Central Board of Revenue to accept the terms of the settlement offered by the assessee is subject to the approval of the Central Government. On the settlement of a case, the Central Board of Revenue will determine the amount of tax payable by the assessee. Invariably, a settlement will be made for all the years for which notices have been issued, as it would be impracticable to settle assessments for one or more years, and leave the others for investigation and regular assessment.

New sub-section 1C provides for the recovery of the settled amount, and new sub-section 1D provides that the settlement would be conclusive as to the matters settled therein, and the assessees will not be entitled to call it into question before any court. This provision is essential, as matters must reach a finality at some stage.

Cases in which settlements are not offered by assessees will be assessed to income-tax and to excess profits tax in the ordinary course, on the basis of income determined on investigation. There is no time-limit under the Excess Profits Tax Act for starting assessment proceedings.

Clause 3 of the Bill makes a consequential amendment to section 35, enabling the income-tax officer to rectify the assessment of the partners on the assessment or reassessment of the firm or of the shareholders on section 23A being applied to the private company. The time-limit of four years for such rectification is to be counted from the date of the final order passed in the case of the firm or the company as the case may be.

I have explained very briefly the provisions of the Bill, and I now move.

Shri T. N. Singh (Banaras Distt.—East): May I ask one question? Why was it not possible for Government

[Shri T. N. Singh]

to widen further the provisions of sub-section 1A? The hon. Minister stated earlier that these are not so wide, and therefore, nobody need have any apprehension. Is it for fear of apprehension that it has not been widened further?

Shri M. C. Shah: We wanted to assess the profits made during the war period, which escaped assessment. That is what I have stated, and that is the reason why it has not been widened.

Shri T. N. Singh: There are not wide enough powers under the earlier section, and that seems to be a protection to the assessee. That is the one consolation being offered to the assessee.

Shri M. C. Shah: I do not quite follow.

Mr. Chairman: Let me place the motion before the House first. Motion moved:

> "That the Bill further to amend the Indian Income-tax Act, 1922, to provide for the assessment or reassessment of persons who have to a substantial extent evaded payment of taxes during a certain period and for matters connected therewith be taken into consideration."

Shri K. K. Basu (Diamond Harbour): May I ask one question?

Shri M. C. Shah: I think it will be better if I reply after all the questions have been raised by the hon. Members. It will be better to reply to all the questions instead of replying to one question after another.

Shri K. K. Basu: I only wanted to know this. After all, this Bill is not going to be over today, for we can discuss it only up to 2-30 P.M.

Could the hon. Minister give us an idea of the number of cases still pending and the amount involved therein, due to the invalidation of section 5(4) of the Income-tax Investigation Commission Act by the Supreme Court's judgment? The hon. Minister did not state that in his speech. This will give us an idea as to the necessity for this legislation.

Shri M. C. Shah: The number of cases, under section 5(4) of the Income-tax Investigation Commission Act, was 369. 26 cases were disposed of before the Constitution came into force, i.e. before 26th January 1950. In all, 224 cases were either settled, or reports were made in respect thereof; that means 224 cases were disposed of, and 145 cases remain for disposal by the Income-tax Investigation Commission. Excepting these 26 cases, the judgment or settlement or whatever it may be, in respect of the other cases became void and unenforceable. The total amount involved in these cases is Rs. 5·81 crores. Out of this the amount collected is Rs. 2·42 crores. A sum of Rs. 34 lakhs was assessed before 26th January 1950. That is not affected by this judgment. Out of these Rs. 34 lakhs, we have already collected Rs. 24 lakhs.

Shri Asoka Mehta (Bhandara): I welcome the introduction of this Bill. It tries to make good or fill up the deficiency that has been created by the judgment of the Supreme Court.

I have only one or two minor observations to make. My first observation is that so long as the Commission was there, there was a kind of protection to the assessees whose cases were to be reopened. In the case of the Commission, two Judges were included in the Commission, and besides the income-tax officer's opinion, the cases passed through their review. In this case, no such independent or judicial review would be available. I wonder if it would not be possible to have some kind of a consultative judicial opinion before either any settlements are made or any final disposals are made. Particularly in the case of settlements, I think it is wise—it is necessary—to have some kind of an independent

opinion being obtained and independent scrutiny being made available. There has been a number of settlements in the past, a number of settlements that was made under a particular scheme, with which the name of Shri Tyagi was associated. He had gone about inviting those who had evaded payment of tax deliberately either because there was a foreign Government and they thought that it was a patriotic duty to do it, or because they thought that it was profitable to do so. Mr. Tyagi had gone round inviting them to review and reconsider the position. As a result of that, a number of settlements was made.

I have heard, and I am sure Members of the House have also heard, that some of these settlements were such as left a certain amount of dissatisfaction around. There was a feeling that the settlements were not made in as dispassionate and as objective a manner as they should have been made. I hope that there will be no scope for such criticism once these amendments are adopted. Care should be taken to see that there will be no room for similar criticism again.

Then, I do not know whether these amendments are introduced only for the purpose of disposing of those cases that were brought up by the Income-tax Investigation Commission and referred to the Central Government. If the purpose of these amendments is merely to dispose of those cases, I think it would unnecessarily limit the scope of investigation. I would like to know from the Government whether there is any desire to limit the scope of investigation. I would know as far as the scope of the amendments, legally speaking, is concerned, it would be comprehensive. But what are the intentions of the Government? Are these amendments being brought in only to get over the difficulty that has been created by the judgment of the Supreme Court or through these amendments it will be possible for the income-tax authorities to review and to open up all cases where there is a feeling that there has been substantial evasion?

I would only add one more word. Fortunes made during the war years were substantial. A long period has passed since these fortunes were made. I do not know why between the achievement of freedom and today, all these cases were not thoroughly gone into. What was the reason? Why is it that there has been this delay? Why is it that so many cases are still pending? After all, this machinery should have been strengthened. I wonder if some of those who had made fortunes in those days would be in a position today to pay whatever assessment is levied on them. The income-tax machinery at least should have functioned at a brisker pace. The Government should have organised the machinery in such a way that these large fortunes that had been made, the large-scale evasions that have taken place, would have been looked into. They should have been tapped and these evasions should have been checked and controlled. I hope at least by 31st March 1956 this work will be completed and it will not be necessary for anyone to complain after 31st March 1956 that there have been any cases of evasion which have escaped notice or scrutiny. By 1956 a period of ten years would have passed since the end of the war. Ten years is a long enough period and I hope and trust that after these amendments are accepted, the scrutiny will be properly carried out and whatever work that remains will be completed, all evasions will have been thoroughly looked into, income-tax payments that have escaped will have been drawn into the net and no impression will be permitted to be created that there has been any desire for a settlement which is not fair to the Government, which is not fair to the income-tax department.

I have been told by some of those who are connected with the income-tax department that there is a desire for

[Shri Asoka Mehta]

interference in the collection of income-taxes. I hope that the Government will be careful enough to see that no such impression is created. The morale of the income-tax department is of the highest importance. In the past under the British Government, the most important source of revenue used to be the land revenue and the Collector of Land Revenue was a man of crucial importance in the administrative set-up. Today the officers of the income-tax department occupy a similar position as far as the collection of our revenues is concerned. It is absolutely necessary that their morale should be maintained. No settlement should be entered into where a feeling is created in them that either they are by-passed or that the general rules that have been laid down and the procedure laid down are being overlooked in one form or another. In the past, there have been occasions where such feelings have been created. Particularly during that great scheme when people were called upon to repent and open up their purse and asked to come clean, that kind of impression was widely created. I hope and trust that the same will not be repeated and that in future at least the morale of the income-tax department will be fully maintained and the officers of the income-tax department will see that in that department rules, laws and procedures are supreme.

Shri T. N. Singh: Mr. Chairman, I have listened to the speech of my hon. friend who preceded me and I have also heard patiently what our Deputy Minister of Finance said while introducing this measure for consideration. I was surprised at times to listen to my friend on the right who probably cannot get out of the Bombay atmosphere and the feeling that somehow or other the assessee has been victimised here and there. When dealing with this Act or other previous amending Acts, my feeling has been that the assessee is clever enough to protect himself from any victimisation.

[MR. DEPUTY-SPEAKER *in the Chair.*]

As a matter of fact, he has fully protected himself not only by his own experience but by the galaxy of legal talent also.

Mr. Deputy-Speaker: The hon. Member may continue later.

SPECIAL MARRIAGE BILL—*Concld.*

Mr. Deputy-Speaker: Now, I shall put the Special Marriage Bill to the vote of the House. But, before doing that, I will put certain consequential amendments that have been moved by the hon. Law Minister. Clauses (1) and (2) are not necessary but there is no harm in including them in the text.

The question is:

"(1) That the re-numbering and re-lettering of the clauses and sub-clauses consequential on the amendments made by the House be carried out together with corrections of cross-references.

(2) That the various definitions in clause 2 be re-arranged according to alphabetical order."

The motion was adopted.

Mr. Deputy-Speaker: The question is:

"That the word 'and' occurring in clause 16 in page 6, line 26, be omitted."

The motion was adopted.

Mr. Deputy-Speaker: Now, the question is:

"That the Bill, as amended, be passed."

The motion was adopted.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

ADOPTION OF EIGHTH REPORT

Mr. Deputy-Speaker: The House will now take up non-official business adoption of the Eighth Report of the Committee on Private Members' Bills and Resolutions.

Shri Altekar (North Satara): Mr. Deputy-Speaker, Sir, with your permission I move:

> "That this House agrees with the Eighth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 5th May, 1954."

Sir, one of the functions of this Committee was to examine the Private Members' Bills that were introduced in this honourable House and to classify them in categories A and B, as laid down in sub-clause (b) of clause (1) of rule 44, according to the nature, urgency and importance of the matter.

The Committee held its first meeting in this connection on the 6th March, 1954 and considered this particular aspect, the nature, urgency and importance of the Bill, and in order to clarify the whole situation, they have laid down certain principles which will help the classification of these Bills under these categories.

The first principle is that in the light of public opinion there is a general necessity and demand for the measure proposed. If there is such a public demand and necessity for this Bill, then it would come under category A and, if not, it will be relegated to category B.

The second principle is that if the Bill seeks to remedy some defect or lacuna in the existing legislation and if it is of great importance, then it will come under category A.

The third principle is that if it is not opposed to the Directive Principles of State Policy as defined in the Constitution and there are other important considerations, then it will be placed under category A.

Then, if there is already a measure in the legislative programme and if an hon. Member has moved a private Bill in that connection and if the disposal of that meets the purpose of such a Bill, then it will be placed under category B.

If there is a comprehensive measure by which the Government want to place the whole matter before the House and there is a Bill which deals only with some of these aspects and if such a Bill is moved by an hon. Member, then it will be classed under category B. and generally when such a Government measure is coming up the Bill will not be placed under category A.

If there is a great necessity for such a Bill, though the Government may be bringing in such a comprehensive Bill later on, and if in spite of that it is desirable that the elucidation of Government's policy should be there earlier on the floor of the House, then it will be placed under category A.

Sir, these are the six principles that have been laid down at the first meeting of the Committee on Private Members' Bills and Resolutions. I have already stated that.

There is another important aspect which was considered by this Committee and that was, when a certain Bill required the recommendation of the President because it was in the nature of incurring some expenditure from the Consolidated Fund of India and therefore this House could not consider it under article 117(3), and if such consent was refused by the President that Bill cannot be considered on the floor of this House; that Bill was relegated to category B. We have considered ten such measures in the case of three of which such consent was refused by the President.

Certain other measures were also placed in category A because they were of importance and consent was not refused. We can not expunge such a Bill because even though the President has refused his recommendation, it being already introduced is on the

[Shri Altekar]

list and even the House cannot expunge it and it will have to be kept alive until the whole life of the House is over. But, some times it may so happen that an hon. Member, who has brought such a Bill and who has failed to secure the recommendation of the President, may afterwards persuade the President and may get his permission and then the Bill will come under category A.

These were the important considerations that weighed with the Committee in classifying these Bills. As I have already explained, the Committee held six sittings for this particular purpose and the hon. Members who sent in these Bills and also the representatives of the Ministries concerned were called for and heard. After considering the *pros* and *cons* and also according to the principles enunciated, the Committee came to a conclusion with respect to the nature of the Bills and classified them accordingly under categories A and B. The Bills classified under category A have been shown in Appendix I and those classified under category B in Appendix II.

I recommend that the general principles laid down in paragraph 7 of the report be accepted by the hon. Members and I further request that the Bills as classified by the Committee in categories A and B also be adopted by the House.

Mr. Deputy-Speaker: Motion moved:

> "That this House agrees with the Eighth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 5th May, 1954."

Shri K. K. Basu (Diamond Harbour): Sir, I want one clarification. Unless the whole list of A is exhausted or finished, the Bills under category will not come up. Is that the idea?

Mr. Deputy-Speaker: There will be many Bills under A and many under category B. There will be separate ballots among each category.

Shri Altekar: According to rule 27(2), it is provided that unless those placed in category A are finished, those in category B will not be taken for consideration.

Shrimati Renu Chakravartty (Basirhat): The criterion has been laid down that a particular Bill will have to be important enough to warrant it to be categorised as 'A'. Suppose a particular Bill is very important for a section of the people and not applicable to all sections of the people, suppose it is applicable to a particular section, say, of the workers, which is quite an important section, would that warrant it to be eligible for being categorised as 'A' or because it does not apply to all sections of the pepole, would it be put into category 'B'?

Shri Altekar: May I answer to this at the end or after the questions are put by other hon. Members?

Shri Raghavachari (Penukonda): Category 'A' is constantly being supplemented, and until this category is exhausted, there is no chance for category 'B'. Every day category 'A' may get augmented; so category 'B' may better be abolished completely.

Mr. Deputy-Speaker: But those are the rules.

Shri Altekar: If a Bill contains provisions of an important nature and the whole country has got interest in it, though, as a matter of fact, it relates to a particular section, the Committee may waive it and recommend that it be put into category 'A'. With respect to the question raised by my friend, Shri Raghavachari, I have to state that category 'A' comprises of Bills which are of a very important nature; and if there are Bills of a very important nature although they may have come later but are of greater importance than those that will come under category 'B', they will come under category 'A' and will get precedence on account of their greater importance and urgency.

Shrimati Renu Chakravartty: For instance, there are certain Bills which are to come before the House—at least, the Government has promised that certain measures relating to workers will come before the House. In view of that, certain Bills have been put into category 'B'. Suppose the Government just delays—now it is already three years and another 1½ years will be over—and then that category will remain. In effect, we will not be able to bring the Bills which have once been categorised as 'B' into 'A' for the simple fact that Government has not brought forward the Bills they promised.

Shri Altekar: If there is such a Bill which is of great importance and it is put into category 'B' because Government is going to bring forward a Bill of a very comprehensive nature, and if there is delay on the part of the Government, the hon. Member concerned may again request the Committee. In that case it will be reconsidered and put into category 'A' if it is of great importance and Government is delaying.

Shrimati Renu Chakravartty: That means any matter may be re-opened with the Committee.

Sardar A. S. Saigal (Bilaspur): Yes.

Shri D. C. Sharma (Hoshiarpur): I beg to submit that this categorisation of Bills is not a very healthy practice. I say so in view of the following reasons. Every private Bill that is presented by a Member is dictated by his conviction or some particular necessity or some urgent need which he wants to voice. This is the one privilege that is enjoyed by him in the House, and to snatch that privilege away from him by categorising these Bills is—I may be forgiven for saying this—almost schoolmasterish. I beg to submit that these Bills are already subjected to the hazards of the ballot—and it is a very very big hazard—and you know there are many parsons who may always be drawing a blank and never draw the prize, that is to say, who may never have the good fortune to have their Bills considered. That is a big hazard that private Member runs when he presents a Bill. On the top of it, you are making him liable to another hazard, namely, that you are classifying these Bills. I have nothing to say against the rules that you have put forward for the classification. They are admirable and I do not want to go into the merits of the rules. I think they are all right.

Mr. Deputy-Speaker: The hon. Member is objecting to the Rules of Procedure already framed. There is no question of arguing this matter. The report that has been published is in accordance with the rules laid down in chapter VII of the Rules of Procedure, namely, rules 40 to 50. These rules were framed and they have been in force. As a matter of fact, every opportunity is given to the hon. Member, who has tabled a Bill, to be present when the Committee takes into account the other Bills. He is asked to give his opinion why it should be placed in category 'A' or not in category 'B'. Even if it refers only to the good of a section of the community, it is allowed to be put into category 'A' and it is not a hide-bound department. Once the hon. Member makes another request, the Committee itself may review and put it into category 'A', and it is for the purpose of seeing that important Bills are given preference over others which may come by way of ballot. I think it is in the interest of all and for the convenience of Members.

One other thing existed for which the rules were amended. Hitherto new Bills which were important and notice of which had been given for the purpose of introduction, could not be introduced at all until all the Bills which had been already introduced were disposed of, and therefore, they would not see the light of day. The rules were modified to give preference to this.

With regard to the other Bills, important Bills are categorised under 'A'

[Mr. Deputy-Speaker]

and others of a less important nature under 'B'. Therefore it is a flexible position from category 'B' to category 'A' and from time to time we review the position and the importance of the Bills. This is only an experiment. If any hon. Member is not satisfied with the categorisation, if he wants a Bill that is put into category 'B' to be put into category 'A', he can, when this motion was brought forward here, move an amendment to that effect and the House will have the opportunity to consider and decide whether the Bill should be put into category 'A'. Therefore, there is nothing done over the head of Parliament also and the Parliament has ample opportunity to find out whether a particular Bill ought to be given priority or not. Let us try this experiment and see how far it is useful. We cannot abrogate it now.

Shri S. V. Ramaswamy (Salem): Once the Bills are placed in category 'B', they are placed under the sentence of death. May I be assured that it will not be so?

Mr. Deputy-Speaker: Only useless Bills will be thrown away. They will be dead.

Shri D. C. Sharma: Let me put one question in all humility. This categorisation of Bills, to my limited understanding, is a curtailment of the privileges of the Members. That is what I say.

Mr. Deputy-Speaker: It is not a curtailment. It is better organisation. Are we to go by some organisation of plan in this House or not?

Shri D. C. Sharma: Because, Sir, to categorise the Members into two classes, class A and class B, is not correct when all Members are equal. Whatever it is, you say this man has produced something which is A class and another Member has produced something which is B class. It is not....

Mr. Deputy-Speaker: Does the hon. Member contend that all Bills are of equal importance?

Some Hon. Members: No.

Mr. Deputy-Speaker: The rules are there. The report has been presented in accordance with the rules. No amendment has been tabled so far as any of the Bills are concerned that a Bill in category B has to be put in category A. Therefore, there is no opposition, except in general principle. Let us see.

Shri Kazmi (Sultanpur Distt.—North-*cum-Faizabad* Distt.—South West): I want a clarification. So far as categorisation is concerned, I am not opposed to it. I wanted you to clarify one thing. There are many Bills in which the Government contemplate to bring legislation on particular lines. A private Member brings a Bill on the same lines. It comes up before the Committee for consideration and the Government say that they have in their contemplation a Bill of a similar kind, and therefore it may be placed in category B. I quite understand that. But, the only difficulty is, at what stage the Government have got their contemplation so far as that Bill is concerned. We know that so far as this House is concerned, legislation of the Government is quite voluminous and the chances of a Government Bill coming up for discussion before the House are not very bright. What I say is this. You must fix a stage at which the Government have the matter. If they have drafted a Bill or they are ready with a Bill, then, the private Member may not move it. If they have got only in their contemplation, thinking that they will bring a Bill of that kind, that is one thing.

Shri Altekar: Sir.....

Mr. Deputy-Speaker: Order, order. I have not called the hon. Member. No hon. Member can start off like that.

Shri Kazmi: There is another point on which I want clarification. Government at one stage.....

Mr. Deputy-Speaker: Does the hon. Member refer to any of these Bills put in category A or B?

Shri Kazmi: No.

Mr. Deputy-Speaker: Then, it is a general discussion. I am not going to allow that any more. If any particular Bill has been put in category B merely because there was an assurance or suggestion on the part of the Government that they are going to introduce legislation, which is not going to be achieved for an indefinite time, we can see. The hon. Member who tables the Bill will be there and the representative of the Ministry will also be there. Both will be heard. If there is a reasonable chance or immediate prospect, it will be done. Otherwise, for a short time it will be put off or it may not be put off. We are arguing hypothetically. There is not a single case where an hon. Member has tabled an amendment that what should be categorised as class A has been classed as B. When the matter comes up, it is for the House to consider. The matter can be placed before the Committee.

The question is:

"That this House agrees with the Eighth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 5th May, 1954."

The motion was adopted.

PREVENTION OF CORRUPTION (AMENDMENT) BILL

Shri U. C. Patnaik (Ghumsur): I beg to move for leave to introduce a Bill further to amend the Prevention of Corruption Act, 1947.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Prevention of Corruption Act, 1947."

The motion was adopted.

Shri U. C. Patnaik: I introduce the Bill.

KAZIS BILL

Shri Kazmi (Sultanpur Distt.—North-*cum*-Faizabad Distt.—South—West): I beg to move for leave to introduce a Bill to provide for the appointment of persons to the office of Kazi and for performing and keeping a record of marriages and divorces amongst Muslims.

Shri Pocker Saheb (Malappuram): On a point of order, there is already a Bill for which we have given leave. It is already there. The hon. Member is introducing another Bill for the same purpose.

Mr. Deputy-Speaker: What is that Bill?

Shri Kazmi: That is not a fact. My hon. friend has not seen the Bill. It is a different Bill.

Shri Pocker Saheb: It is there in the list.

Shri Kazmi: May I enquire if he has seen this Bill?

Mr. Deputy-Speaker: Leave granted here?

Shri Pocker Saheb: Yes. This is another Bill for the same purpose.

Mr. Deputy-Speaker: What is the number of the Bill?

It must be in either category A or B.

Shri Kazmi: It is B.

Mr. Deputy-Speaker: What is the number of the Bill, which he says, according to him, blocks this present Bill?

Shri Pocker Saheb: Bill 83 of 1952: The Muslim Kazis Bill.

Mr. Deputy-Speaker: Has the hon. Member compared the Bills?

Shri Pocker Saheb: I have not seen the new Bill. How can I compare?

An Hon. Member: How can he then object?

Mr. Deputy-Speaker: The hon. Mover of this Bill says that this is a different Bill. Let us see at a later stage.

Shri Pocker Saheb: Let him solemnly declare.

Mr. Deputy-Speaker: The question is:

> "That leave be granted to introduce a Bill to provide for the appointment of persons to the office of Kazi and for performing and keeping a record of marriages and divorces amongst Muslims."

The motion was adopted.

Shri Kazmi: I introduce the Bill.

ESSENTIAL SUPPLIES (TEMPORARY POWERS) AMENDMENT BILL

Mr. Deputy-Speaker: The House will now take up further consideration of the following motion moved by Pandit Thakur Das Bhargava on the 3rd September, 1954:—

> "That the Bill further to amend the Essential Supplies (Temporary Powers) Act, 1946 (*Amendment of section 7 and substitution of section 9*) be taken into consideration."

along with the amendments printed on a separate list. Pandit Thakur Das Bhargava may continue his speech.

Pandit Thakur Das Bhargava: (Gurgaon): On the last non-official day, I moved for the consideration of this Bill. I had no time to say anything on that day. Even today, I will not take much time of the House for saying many things on this Bill. I want to make a few points only to show how the Bill is necessary.

Mr. Deputy-Speaker: What about the word withdrawn? Is it to be withdrawn?

Pandit Thakur Das Bhargava: That depends on the attitude of the Government.

Mr. Deputy-Speaker: I am not suggesting anything. I heard the hon. Member to say, 'before it is withdrawn'.

Pandit Thakur Das Bhargava: I did not say so. At the same time, I do not rule out withdrawal if the Government take up an attitude which is acceptable to me. If they reply satisfactorily, I would not hesitate to withdraw it. But, till such a reply comes, I beg to be allowed to give some reasons why I think that the Bill is good and one which should be considered by the House.

Section 7 of the original Act, the Essential Supplies (Temporary Powers) Act, 1946, divide itself into three sections so far as particular articles are concerned. Section 7 (1) deals with cotton textiles, 7(2) deals with foodstuffs and 7(3) deals with other articles. In regard to the punishment portion, the House will see that in respect of textiles, there is a provision which says:

> "property in respect of which the order has been contravened or such part thereof as to the court may seem fit shall be forfeited to the Government."

Therefore, in regard to cotton textiles, there is no discretion with the Government not to forfeit property in respect of which an offence is proved to have been committed. In regard to section 7 (2), the words are as follows:

> "(a) he shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine, unless for reasons to be recorded the court is of opinion that a sentence of fine only will meet the ends of justice; and
>
> "(b) any property in respect of which the order has been contravened or such part thereof as to the court may seem fit shall be forfeited to the Government, unless for reasons to be recorded the court is of opinion that it is not

necessary to direct forfeiture in respect of the whole or, as the case may be, any part of the property."

3 P.M.

Now, in regard to foodstuffs, the rule is quite different from the rule in regard to cotton textiles. In regard to other articles, the rule is still more different, because sub-section (3) reads thus:

"If any person contravenes any order under section 3 relating to any essential commodity other than cotton textiles and foodstuffs, he shall be punishable with imprisonment for a term which may extend to three years, or with fine or with both, and if the order so provides, any property in respect of which the Court is satisfied that the order has been contravened may be forfeited to the Government".

So, in respect of articles other than foodstuffs and cotton textiles, the rule is that unless and until there is a provision in the order itself, no property can be forfeited. My humble submission is that this provision in section 7 was enacted in times which were practically panicky times, and we made these provisions deliberately to see that many persons do not indulge in these practices. Now, practically the cotton textiles order as well as the foodstuffs order have been not only relaxed, but so far as the cotton textile order is concerned, it has been effectively withdrawn.

I came across a case in which an accused was convicted by the court and the property which was the subject-matter of the offence was ordered to be forfeited. It so happened that the court also found that the real owners of the property were not guilty. They were quite innocent, but the court had no option but to forfeit the property of the innocent people. Article 19 of the Constitution makes the holding of private property to be in the nature of a fundamental right, and so, this provision in my humble opinion offends against a fundamental right. In those times when such offences were being committed, it may perhaps have been necessary, it may or may not have been justifiable. I am not going into this question now. At the time it was enacted, I think we had not even passed the fundamental rights. Therefore, this provision may not have been objected to then, but today, in regard to foodstuffs we have such a provision on the statute book. I do not see the justification of making a difference there, because when the court is armed with certain powers, the court is the best judge in which case to forfeit, and in which case not to forfeit the article. My humble submission is that the provision in regard to foodstuffs should be made applicable to the provision relating to cotton textiles.

When we proceed to the other sections of this Bill, hon. Members will find that, as a matter of fact, when we speak of packages, and forfeiture of certain property used in the commission of the offence etc., we have made a different provision there, and the provision is:

"Provided that no Court trying an offence under this Act shall declare any such package, covering, or receptacle or any such animal, vehicle, vessel or other conveyance forfeited to Government, unless it is proved that the owner thereof knew that the offence was being, or was to be or was likely to be, committed."

So, in regard to section 7A this rule has been accepted that the real owner of the article is not to be prejudiced by an order passed by a court in respect of any other accused who is not the owner. So, my humble submission is this is but just, that the owner of an article who is quite innocent should not be prejudiced by the order of the court passed in respect of another accused who is not the owner of the article.

Now, Sir, in regard to these provisions, I have now to make another request to the House. I gave notice of some amendments yesterday and some amendments today, which I think

[Pandit Thakur Das Bhargava]

must have come to you. Now, Sir, with the kindness of the hon. Commerce Minister I was supplied with a copy of the report of the Commodity Controls Committee, and when I went into it for the purpose of understanding the implications of the third amendment to the Constitution, I came across paragraphs 48, 49 and 50. I was very happy to find that the Committee was of the same view as my humble self. When I went through other portions of this report also, it repaid perusal, and I take this opportunity of thanking the Members of the Committee and its worthy President who produced this valuable report. This report is very valuable and I should like that many Members of this House read this report.

Now, Sir, in paragraph 48 we find this. It says:

> "Our view is that no useful purpose would be served by fixing the maximum imprisonment at more than three years for any offence against the control laws. Though the offence of hoarding of foodstuffs is punishable with seven years' imprisonment, no case has come to our notice in which punishment of imprisonment of even three years has been awarded. On the other hand, the provision for imprisonment up to seven years has made the offence triable exclusively by a Court of Sessions and has introduced delaying and expensive procedure and also other avoidable complications".

Now, the House will recall that when Act LII of 1950 was passed by this House, the hon. Mr. Munshi was in charge of the Bill, and when he assumed charge, he wanted to introduce these changes and make the punishment seven years instead of three years. At that time also I submitted that this was a useless provision and in practice it would never be worked, and I am very glad that the prediction has come true, and in paragraph 48, the Committee have recorded this opinion. It is ordinary knowledge, every person knows, that when you provide a very big punishment for an ordinary offence, the courts refuse to convict the man. They just seek loopholes to see that the man is acquitted, rather than convict him and give him the punishment provided by law. My humble submission is that excessive punishment of this nature defeats itself and is more mischievous in operation than a much smaller amount of punishment. Therefore, I have sent in an amendment to delete the existing proviso to section 7(2).

Now, another amendment which I want to see made in this Bill is this. The panicky condition is now over and normal conditions have come by the grace of God, and so far as cloth and food are concerned, they are plentiful in the land, and I do not see any near prospect of these crimes being committed again. Now, with the return of these normal times, we should return to the normal law of the land and should not provide excessive punishment or even punishment which is more than necessary.

Now, in regard to this also, the Commodity Controls Committee has to say the following in paragraph 49:

> "We do not consider it necessary to provide that imprisonment should be compulsory in respect of any offences or that the penalties of both imprisonment and fine should be awarded in any specified cases. The nature of offences against control laws is such that a wooden rule in the matter of punishment is not desirable. We should leave it to the Courts to determine the form and extent of punishment in each case on its merits and are, therefore, in favour of a provision that all offences against control laws should be punishable with imprisonment for a term extending to three years or with fine or with both. Such a provision introduces simplicity and uniformity without in any

way sacrificing the desired effects of penalties. We do not think that whipping should be prescribed as a penalty. We are of the opinion that attempts to contravene and abetments of contravention of the control laws should also be made punishable"

So that, I want that so far as imprisonment is concerned, it must be within the discretion of the court to award imprisonment in proper cases only, and it will not be obligatory on the courts to award imprisonment in all cases.

In regard to articles other than foodstuffs and cotton textiles, this is the present law also, and I want in regard to these matters also we may assimilate this provision to the provisions contained in section 7(3), so that the amendment which I have sent is that in regard to this matter also the punishment may be the same as in section 7(3) and imprisonment may not be compulsory.

Now, I come to another clause which has been a matter of dispute between two points of view. One point of view is that so far as offences by corporations etc., are concerned, the burden of the proof should, be in respect of such offences, on the manager, the secretary, the directors and other officers etc., And not only that. Not only the question of the burden of proof, but the view is that all persons who have anything to do with that corporation, any officer whatsoever, should be made liable and section 9 of the Act enacted in 1946 runs thus:

"If the person contravening an order made under section 3 is a company or other body corporate, every director, manager, secretary or other officer or agent thereof shall, unless he proves that the contravention took place without his knowledge or that he exercised all due diligence to prevent such contravention, be deemed to be guilty of such contravention."

Now, Sir, after 1946, whenever any such Bills came in which these provisions were shown, some of the Members including myself raised objections and submitted that this is too harsh. At the same time our labour leaders were too strong; they did not see justice as we wanted them to see; they were adamant and therefore those provisions were retained in some sections. Then, it so happened, after some time, very probably, the Commerce Minister or the Agriculture Minister saw that whatever we were saying had some substance in it, and since some time I am seeing that not only the previous section has been amended, but a section in which our point of view has also been appreciated, has been introduced and has been recognised as good. Now, the present provisions in such Bill do not make every person so much liable as before. I recognise that there is a change, but at the same time. I am not satisfied with the fulness of that change.

Sir, I may just clear the ground and make an explanation before the House. I am not desirous that any blackmarketeer or any person who has something to do with an offence should go scot-free. I do not want it. I make a categorical statement to you and I still go further. Ordinarily we do not make neglect culpable unless it comes within certain sections. But, I go further and say that we should even make neglect of such a person culpable and enact a law in which even neglect may be punished. I want all those persons who connive at the offence; or who abetted an offence, or even if they are neglectful in their duties, be punished. I can go further to that extent. I do not want—as has been stated many times in this House against me when I opposed these provisions—that I want that a dummy is put up, he may be prosecuted and punished. I do not want that. I want that persons who are really guilty should not escape punishment and they should be punished. I do not want that such persons who are innocent and who have nothing to do with the

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crime should be harassed and hauled up. In some companies and corporations which are managed by managing agents, the directors have nothing to do with the actual management. They simply come on the date of the meeting and take their honorarium. They are present at the meeting discuss policies and they go away without doing anything regarding actual management. It is not that they are not behaving well or are not doing their duties; but they are not allowed by law to partake in the management. The managing agents are in charge of all business. But, I know a case in Meerut, where the Deputy Commissioner and other persons concerned laid a trap against the managing agents and then prosecuted them. At the same time they prosecuted all the directors also who had nothing to do with the case. The director may not be in town; he may be at some other place and the offence may be committed by a person in charge of that particular business; but all the same, according to the present law, all those persons are chargeable and all those persons are guilty. I should think, it is not the right law. I can understand, so far as Criminal Law is concerned, you can get at the person who is guilty, but it is a crime against society and against individuals to see that innocent persons are harassed, brought to the court and ultimately acquitted. What happens in that case? It is very difficult for the prosecution to discharge the burden of proof and much more difficult it is for the accused. So far as prosecution is concerned, it has got charge of the entire machinery of the State and is in a better position to investigate and find evidence. So far as individuals are concerned, they cannot do the same thing. Therefore, my humble submission is that it is wrong to say that those persons who are absolutely innocent are also guilty. The present provision says:

> "If the person contravening an order made under section 3 is a company or other body corporate, every director, manager, secretary or other officer or agent thereof shall....."

So, every director is included. He may not be in charge of the business; he may not have even attended any meeting; he may have nothing to with the company except that he is a director by name, or a director whose business is only a certain part of the business and has nothing to do with the other business of the company like sale, production etc., but he is also regarded as guilty. Now, in black-marketing it is usually those who sell properties who make money and are guilty. But, under the present provision even those who are in charge of production of the article are also mentioned as guilty. It is not only the director, but even the manager who is paid some two or three hundred rupees and who has nothing to do with the sales is named as being vicariously guilty, as also the secretary. These officers have nothing to do whatsoever with persons who may be really in charge of the business and have committed the offence. I understand the word 'officer' includes even the clerks because the word 'officer' is not defined. Then comes the agent. I cannot understand this. The agent who has nothing to do with the company, even he is guilty and he can be hauled up. It is not that these provisions are not used to harass innocent people. Persons have been challaned and ultimately they have been acquitted.

Therefore, my humble submission is that I want to mention such persons who are in particular charge of the particular department in which this black-marketing is done or any offence is committed, they may be made really responsible. Even their neglect which led to the offence may be treated as a cause for punishment; I have no objection. Therefore I have tabled an amendment to that effect. It is just in regard to the persons who have nothing to do with the offence. So far as the amendment of the hon. Minister

is concerned, I accept the reason behind the amendment. I was mistaken in not indicating this before. I think every person who is connected with the offence even by implication or indirectly is guilty of the offence because it is an offence against society. All the same I also do not agree with the provisions which are now being substituted for this Section 9. The present provision says:

> "That all persons who are in charge of the business of the company are primarily responsible....."

My humble submission is that this is not fair and correct. I want all persons who are directly responsible for the compliance of orders under section 3 of the Essential Supplies Act may be made responsible and for that purpose I want the Government may take powers to see that the company appoints only most important men,—and not a dummy—even the directors, as manager. That person may be nominated by the company as a person directly responsible under section 3. It may be said that the company may not appoint any person. Therefore, I have made a provision that if the company behaves like that, then all the directors of the company may be made responsible because they did not care to take advantage of this. At the same time I am very much opposed to making all the persons in charge of the business of the company responsible for the compliance of orders under section 3. If you make the most important person directly responsible, it is quite clear that, that person will see that the orders are obeyed and that person can be proceeded against for any negligence. Apart from that, any other person who is proved to your satisfaction to have taken part or abetted the offence, or even neglectful of his duties leading to an offence, even that person can be proceeded against; I have no objection. Only because they are wealthy people; well to do people you should not have such a harsh law for them. Their only crime is that they are wealthy people. I want that the law of the country should be the same for the poor as well as the wealthy. I do not want that innocent people who have nothing to do with the crime may be harassed because you want to appease certain people who want that the noose should be round the neck of every person who is a director or officer of a company. You may do justice but I do not want that those persons who have nothing to do with the crime should be harassed and proceeded against.

Then, I have to call the attention of the hon. Minister to para 50 of the Commodity Controls Committee. They have also considered the question about these provisions, but my difficulty is that they agree with me so far as this particular question is concerned. The only difference is that I do not want that persons in general charge should be made responsible. I want that persons who may be made directly responsible under section 3 may be nominated and whether they have done anything or not, they can be proceeded against and action taken and they can defend themselves by proving their innocence whereas the present provision in the other enactments is such that not only those persons but persons generally incharge of the entire business are made responsible. This is a small difference, which, I submit, must be considered by the hon. Minister. This point of view was not placed before the Committee, and therefore, they did not consider this. I would very respectfully ask the hon. Minister to kindly look into this matter, because it is a matter of very great importance. We want that every person in this land, who is not guilty, and who is innocent, may feel security, and such laws as make persons vicariously guilty should be the least. No person should be harassed or brought to book or proceeded against—I would say not even on suspicion, but—on the basis of wrong law. Therefore, my submission is that this Bill may be considered by the House.

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At the same time, I may make quite clear one other point. The hon. Member Shri Alteker referred to another report, and said that one of the principles given in that report is that when a similar Bill is promised to be brought by Government, the usual practice is that the Bill is withdrawn. True, we always like that Government may bring forward such Bills. After all, we are not here to see that we become responsible and get credit for this or that law. And I for one do not want that I should adopt this attitude. My attitude is that Government should be pleased to consider all the points when bringing in their own Bill. If they do so, I shall be perfectly happy in just withdrawing this measure or keeping it alive and withdrawing it when Government bring in their Bill. This is the practice which has been adopted in this House, and I myself advised on the last non-official day when some other Bill was being discussed, that that Bill should be kept alive until Government brought in their own Bill when it could be withdrawn. As soon as Government bring in their Bill, I shall myself withdraw this Bill. But I would respectfully ask Government to kindly consider the points of view which I have urged, before they bring in their own Bill.

Mr. Chairman: Motion moved:

> "That the Bill further to amend the Essential Supplies (Temporary Powers) Act, 1946 (*Amendment of section 7 and substitution of section 9*) be taken ino consideration."

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): In regard to the main Act, namely, the Essential Supplies (Temporary Powers) Act, 1946, commodities like foodstuffs, cattle fodder, raw cotton, cotton seed etc., will not come within its purview after the 25th January 1955, unless Parliament approves of the Constitution (Third Amendment) Bill, that is now before it, and after approval by Parliament, it is ratified by half the number of States specified in Part A and Part B of the First Schedule of the Constitution. That is roughly the position in regard to some of the main items covered by this Bill.

In regard to the other items, we have power under entry 54 of List I of the Seventh Schedule of the Constitution. The House knows that we have enacted the Industries (Development and Regulation) Act, under the powers vested in this House.

Mr. Deputy-Speaker: Is there any Schedule attached to this Bill? I do not find any Schedule.

Shri T. T. Krishnamachari: In the Essential Supplies (Temporary Powers) Act? The commodities are mentioned in the definition clause, *viz.* clause 2.

The position, therefore, is that Government will have to revise their attitude in regard to this measure after the fate of the Constitution (Third Amendment) Bill is known. At the time when I proposed an amendment to clause 3 of this Bill which was moved by my hon. friend Pandit Thakur Das Bhargava, all that I did was to take the analogous provisions for punishment from the Industries (Development and Regulation) Act, the Tea Board Act, and other similar enactments. Perhaps, if this Bill had reached earlier on during the life of this House, and the hon. Member had accepted my amendment, the thing might have gone through.

But here, in regard to this question of penalties, there is undoubtedly a very large measure of substance in what the hon. Member has said. My own personal experience of prosecutions launched has not been particularly happy. Very often, the magistrates take a lenient view merely because of the stringency of the penalty provisions. We have had some very good cases in which there has been an acquittal on the ground of some technical defect. It is also true that it is rather difficult to get offenders to

be booked, because the facilities available for Government in this matter happen to be considerably less than the facilities for purposes of suppressing evidence on the part of the offenders, because the offenders can plan it from the very start. All evidence is suppressed, and therefore, we fail very often in cases where Government have reason to believe that there is a *prima facie* case. So, a mere lightening of the provisions might perhaps help to win from the magistrate some kind of a feeling that the guilty party might be convicted, but that does not altogether solve the problem, for after all, in the case of powerful interests, Government do not happen to be in a position of vantage.

So, even in regard to the amendment that I had proposed at one time, there is a considerable body of opinion in this House that Government should make a distinction in regard to prescribing penalties in a legislation which is of a purely regulatory nature, namely for the regulation of an industry during normal time, while the penalties may be more stringent where Government have, owing to reasons of emergency, scarcity, flood or famine or something like that, to adopt stringent control measures. It is the view of some hon. Members, whose views are certainly entitled to respect, that this difference should be made. That is a point of view which I cannot easily ignore.

At the same time, I do recognize that my hon. friend the Mover has been actuated by the highest of motives, in suggesting this amendment, having in view the considerable experience he has of the administration of criminal law in this country. He has again fortified his arguments by quotations from the report of the Commodities Control Committee. I have also read paragraphs 46 to 50 of this report. While in paragraph 50, as the hon. Mover had very charitably acknowledged, the Committee does not see things from the same point of view as he does it is true the Committee feels that severe penalties often defeat the purpose. So, having all this in view, having in view the fact that our control over a number of items is at the moment a problematical matter, because I cannot really prejudge the issue and take it for granted that this House is going to approve of the Constitution (Third Amendment) Bill, and that one half of the Part A and Part B States is going to sanction it by ratifying it, I would say that if these things come to happen, I would like to give my hon. friend the mover this assurance that I shall have the whole quesion examined; and I think it is time that we redraft this Essential Supplies (Temporary Powers) Act, and give it a different nomenclature, so that we have some provisions for purposes of regulation, and some provisions for purposes of control, with differing penalties. What really happens in regard to the various measures that we have is that the penalties vary from Act to Act, which, I think, is not very good. We have been trying, as far as possible, to streamline the whole procedure. I would rather that we have one Act prescribing penalties for all the various control and regulation measures passed by Parliament, because, after all, even though we legislate here, the actual putting into effect of the legislation is done by the States, and I think we should not perplex the States with conflicting laws and different types of penalties for offences which are of the same category. So I feel that Government should examine this matter and bring forward a comprehensive measure with slight variation, wherever it is necessary, between breach of measures which are regulatory and breach of control orders, if such a thing is legally possible. I have no intention to ask the hon. Member to withdraw his Bill. If the Chair and the House permit, the Bill may be held over and if I am given some time—I cannot promise that I would bring it in the next session, because the period of suspense that must inevitably continue until the Consti-

[Shri T. T. Krishnamachari]

tution amendment is finally ratified, will continue till the end of the next session—I do promise that at the earliest possible moment, Government would bring forward a comprehensive measure and the House would be able to discuss it in all its aspects and take into account the point of view represented not only by my hon. friend, Pandit Thakur Das Bhargava, but also other points of view that may find representation in this House. We will then be able to evolve a satisfactory measure which will ensure that, as far as possible, offenders will be booked and the penalties will not be savage. I hope with this assurance, the hon. Member would be agreeable to keep the Bill pending for sometime and you, Sir, and the House will give him permission, should he desire to do so.

Mr. Deputy-Speaker: What is the attitude of the hon. Member?

Pandit Thakur Das Bhargava: This is practically a motion for adjournment of the discussion of this Bill. I for one, will not oppose this motion of the hon. Minister, that consideration of the Bill be adjourned, because if the Government are bringing forward another Bill, I will be very happy. I would like that the considered opinion of the Government be put in the House in the form of a Bill which will be perfectly satisfactory. I have got full faith in the Government that they will consider all these aspects and bring forward a Bill.

Shri Tek Chand (Ambala-Simla): May I, with your permission, make a suggestion?

Mr. Deputy-Speaker: If there is a motion for adjourning consideration of this Bill, let us consider that.

Shri T. T. Krishnamachari: If the Chair will permit me, I will formally move: that consideration of this Bill be adjourned.

Mr. Deputy-Speaker: *Sine die.*

Shri Tek Chand: May I make a submission?

Mr. Deputy-Speaker: On the question of adjournment?

Shri Tek Chand: Yes. May I suggest to you that perhaps it would be better if the hon. Minister is pleased to concede that certain aspects of the Bill may at least be discussed so that pointed attention of the Government may be drawn to those features that are being considered, according to the experience of some Members, as objectionable, in order that it may assist the Government in re-framing the Bill in the light of the observations that we may be permitted to make? By all means, have the matter deferred, but at least consider the various criticisms and the various difficulties and problems from the point of view of the people who very often innocently find themselves within the coils of law. That being so, if some opportunity at least is given to present the seamy-side of the picture that the hon. Minister may not be absolutely conversant with, it will be more helpful to him as well as to others.

Shri T. T. Krishnamachari: The only submission that I would like to make once again is this, that the life of this measure itself is now hanging in the balance, that in regard to commodities like foodstuffs, cattle fodder, raw cotton, cotton seeds etc. the continuation of the operation of this measure after the 25th January next is contingent on a number of factors. I do not think that any useful purpose would be served by anticipating a contingency, which, I think, we can intelligently anticipate—I agree—but, nevertheless, it is much better to postpone the discussion to a later date.

Mr. Deputy-Speaker: Rule No. 145 says:

> "That any stage of a Bill which is under discussion in the House, a motion that the debate on the Bill be adjourned may be moved with the consent of the Speaker".

I agree. I can consent to this motion.

Shri T. T. Krishnamachari: I beg to move:

"That the debate on the Bill further to amend the Essential Supplies (Temporary Powers) Act, 1946 (*Amendment of section 7 and substitution of section 9*), be adjourned".

Mr. Deputy-Speaker: The question is:

"That the debate on the Bill further to amend the Essential Supplies (Temporary Powers) Act, 1946 (*Amendment of section 7 and substitution of section 9*), be adjourned".

The motion was adopted.

Mr. Deputy-Speaker: Now, we will proceed to the next Bill.

Shri R. N. Singh (Ghazipur Distt.—East *cum* Ballia Distt.—South West): There is no quorum in the House.

Mr. Deputy-Speaker: All right, I shall ring the bell.

I believe hon. Members generally agreed that we should not worry ourselves with the quorum. As many as 50. Bills are on the agenda. Those hon. Members must be present here.

Pandit Thakur Das Bhargava (Gurgaon): Last time also this happened when we are considering Private Members' Bills. All the Members should be present here when the Government have given this benefit to us on every Friday. We have got many non-official Bills. But Members are not present. This is not right.

Mr. Deputy-Speaker: Evidently, they do not want non-official Bills.

Pandit Thakur Das Bhargava: We do want them. If you will give me permission, I will place all my Bills before you—I have got six of them now. Many other Members are quite anxious about the Bills. We should be present here. It is very wrong not to be present.

Shri Feroze Gandhi (Pratapgarh Distt.—West *cum* Rae Bareli Distt.—East): How can the Chair compel Members to be present?

Mr. Deputy-Speaker: I will now call upon Shri R. K. Chaudhuri to move the next Bill.

Shri Jhulan Sinha (Saran North): On a point of order. We have accepted the Report of the Committee on Private Members' Bill and Resolutions. In the agenda before us, items Nos. 4 to 14 are Bills which come under the B category. My submission is that they cannot be taken up before the A category Bills are exhausted.

Mr. Deputy-Speaker: Mr. R. K. Chaudhuri's Bill comes under category B. The point has been raised that in view of the fact that the categorisation has been adopted on the motion of Mr. Altekar, this Bill which does not find a place in category A cannot be taken up. I will ignore all those Bills which are put down in category B and then go on in the order in which they are placed in the Order Paper regarding those Bills which come under category A. Has Mr. Chaudhuri any objection?

Shri R. K. Chaudhuri (Gauhati): I do not understand the technicalities. But what I wanted to ask my hon. friend was to withdraw that objection. For the last seven years, I have been trying to have this Bill discussed. I do not know whether I shall be able to move this at all on this side of the earth.

Mr. Deputy-Speaker: I am sorry I have to pass over these Bills till I come to some Bill in category A on the Order Paper. Shri R. K. Chaudhuri's Bill will have to be put off.

Shri R. K. Chaudhuri: It will be killed.

Mr. Deputy-Speaker: No, it will live but will be put off.

Shri M. L. Dwivedi (Hamirpur Distt.): My Bill is a very important

[Shri M. L. Dwivedi]

Bill, Sir. What is the category of my Bill, Sir?

Mr. Deputy-Speaker: It is the topmost one in category B. Then Seth Govind Das's Bill. He is not here.

Pandit Thakur Das Bhargava: He may not be here; but the debate was only adjourned.

Shri Jhulan Sinha: This Bill does not find a place in either category because it was under consideration when the Committee was trying to categorise the Bills.

Pandit Thakur Das Bhargava: Since the adjourned debate has to be resumed, the hon. Member may or may not be here.

Mr. Deputy-Speaker: Has he already spoken?

Pandit Thakur Das Bhargava: Yes, Sir.

Mr. Deputy-Speaker: The mover of the Bill has to make a further motion today. It is put down on the Order Paper as follows:

> "Seth Govind Das to move that the adjourned debate on the following motion moved by him on the 12th March, 1954, be resumed, namely:—
>
> 'That the Bill to preserve the milch and draught cattle of the country, be taken into consideration'."

Hon. Members will look at entry 8 on the Order Paper. The hon. Member is not here to make that motion. Therefore, this Bill too goes.

श्री अलगू राय शास्त्री (जिला आजमगढ़,-पूर्व व जिला बलिया पश्चिम) : उपाध्यक्ष महोदय, इस बात को ध्यान में रखते हुए कि यह एक महत्वपूर्ण विधेयक है अगर रूल्स को वेव करके हम इसको ले लें तो वह पास किया जा सकता है क्योंकि मूवर साहब बोल चुके हैं, और भी बहुत से लोग बोल चुके हैं ।

Mr. Deputy-Speaker: Who is to make that motion?

Shri Algu Rai Shastri: I will move that.

Mr. Deputy-Speaker: Unless he comes to this side and becomes a member of the Government he cannot do that (*Interruptions*).

Then Mr. Jhulan Sinha's Bill is the next.

PROHIBITION OF MANUFACTURE AND SALE OF VANASPATI BILL

Shri Jhulan Sinha (Saran North): Sir, I beg to move:

> "That the Bill to provide for the prohibition of manufacture and sale of *vanaspati* in India, be taken into consideration."

Before I give my grounds for the banning of manufacture and sale of *vanaspati*, I would give in brief the history which this Bill has had in this country. Some of the old Members of this House will remember that there was a similar Bill on the same subject by Pandit Thakur Das Bhargava. That Bill was sent out for public opinion and that opinion was gathered but due to the circumstances over which none of us had any control that Bill could not be taken up in the last Parliament. The opinions gathered from the country are there in the Library and one can go through them if one likes. If one looks into those opinions one will find that the majority of the people of this country are opposed to the manufacture and sale of this commodity in this country. That gives us further encouragement and we have now taken up this matter in the sovereign Parliament, which has all the power in this respect.

I would now briefly recount the grounds for the banning of the manufacture and sale of this commodity in this country. I know there are people who honestly believe that it is an innocuous commodity and that it does no harm to the health of the people.

Mr. Deputy-Speaker: Who is the Minister in charge of this?

The Minister of Commerce (Shri Karmarkar): For the time being I will look after the Bill.

Mr. Deputy-Speaker: Some hon. Minister should be in charge. I think it is the Food Minister.

Shri Karmarkar: I will watch the debate to satisfy Parliamentary proprieties.

Shri Jhulan Sinha: May I proceed, Sir?

Mr. Deputy-Speaker: Yes.

Shri Jhulan Sinha: I know that there are people who honestly believe that this *vanaspati* is an innocuous commodity and it does not harm the health and it supplies the necessary energy and fat etc. that are necessary for the health. I know also that people who take this view are strengthened in this opinion by the opinion of certain experts in this country.

I only wish to draw the attention of this House to the vast opinion of experts who also hold that it is a mere waste of money and of health to consume this commodity. For this I need only refer the House to the opinions that are lying in the Library of this Parliament and which may be very easily looked into. I know that the vast majority of the people of this country are really of opinion and sincerely feel that this is harmful commodity, and it has affected prejudicially the health of this country and it has also acted very prejudicially on the purse of the nation. According to the protagonists of this commodity, this is at best as good or as bad as raw oil out of which it is made. My contention is that raw and refined oil is as useful as *vanaspati*. There is therefore no use in asking the nation or making facilities available to the nation for paying more for this commodity. I know that there is a lot of difference in price between the raw oil or refined oil and *vanaspati*. If both these commodities can supply the same quality and quantity of fat found necessary for the upkeep of human health, there is no sense in asking the nation to pay more for the same thing.

My grounds, as I have just said, are, firstly, from the point of view of health and, secondly, from the point of view of public economy. The third ground that I wish to urge in this connection is that, apart from the controversy about the value of this commodity on public health or public purse, it has itself become a source for adulteration. I am in possession of material to show that *vanaspati* itself has become liable to be adulterated by being manufactured out of non-edible mineral oils such as kerosene oil and the like. If the nation can be made to consume a thing which is not only harmful to itself but also to its purse, it is up to this Government, which not only claims to be but is really a welfare State, not to allow a thing of this kind to go on in the country. I have, therefore, decided to place this matter in all humility and in all seriousness before this August Parliament so that they may think out and come to some decision about the sale, and manufacture and prevalence of this commodity in the country. I have just said that this commodity is not only a thing available in the country but the rest of the world also consumes fat in some form or another.

[SHRI BARMAN *in the Chair*]

In a country like India, where the demand on the public purse is so heavy in respect of other things, there is no ground for asking the people or making them liable to pay more for a commodity which can easily be avoided. I have, therefore, to submit that *vanaspati* is a commodity which should be altogether banned either for sale, for manufacture or in any way for consumption in the country. I would only remind you of the vast and strong opinion held by hon. Members of this House, which was given vent to on earlier occasions. The House will remember, I hope, that a good many hon. Members of the House spoke against *vanaspati* while the Food Adulteration Bill was on the anvil of legislation. The grounds urged on that occasion I

[Shri Jhulan Sinha]

need not recount again. As I stated already, it is not only harming the health of the nation but also making the nation pay more for a thing which can easily be had for a lesser price. It is also a thing which has itself become susceptible of further adulteration by the manufacture of *vanaspati* out of non-edible oils, as I have just said.

Mr. Chairman: May I know which hon. Minister will reply to this debate on *vanaspati*?

Pandit Thakur Das Bhargava (Gurgaon): The reply is not necessarily to be given today.

Shri Biswas: As Mr. Karmarkar just told the House, this Bill is in charge of the Food Ministry and my friend has gone to fetch the Food Minister here. Unfortunately, I am not dealing with *vanaspati* and I am, therefore, not in a position to throw any light on its manufacture or distribution.

Pandit Thakur Das Bhargava: The *vanaspati* Minister will reply!

Shri Jhulan Sinha: This commodity should not find a place in the menu of the nation on the ground of public health, on the ground of public purse and on the ground of itself being susceptible of further adulteration. These are the grounds that I have thought fit to urge against the manufacture and sale of *vanaspati*. I know the House is in full possession of materials for and against this commodity. As I referred to in the beginning of my speech, a big volume of opinion available in the library was collected from the whole country on a Bill moved by the hon. Member, Pandit Thakur Das Bhargava in the Provisional Parliament. That opinion is still there and can be very easily consulted for reference and guidance. I have tried to look into it and am convinced that the people in this country are in a majority against this commodity. I know the opinion that the Prime Minister holds in this respect and he gave vent to it on the floor of the House in the very first session of this Parliament. I also know the opinion that the protoganists of this commodity hold in the country, but I can only urge against them that my conviction is that those people have never tasted good ghee in their life and have never had the facilities of tasting good ghee, and so they will not be able to pronounce a judgment on this. There are persons who belong to the town area and it will not be an exaggeration to say that there are generations living in towns who have not had even an occasion to taste good ghee or pure ghee in their menu. If those people say that this commodity *vanaspati* is not harmful, nobody is to blame for it and it is only natural for them to say so. But those of us who live in villages—and the vast mass of the country live in villages—and have tasted good ghee and have had the experience of having ghee for the regular diet know what it is. On the strength of the opinion that we have got and on the strength of our own experience and having used ghee and *vanaspati*, I am, personally speaking, convinced that this is a harmful commodity not only for health but for the purse also. Those people who take a lot of other nourishment can not feel and the evil effects of this commodity in their menu. But for the ordinary mass of people, who are too poor to have other nourishment, it is positively harmful. It is not only deleterious but it is almost suicidal for them to take it, but they have to take it because nothing else is available. The incidence or prevalence of this commodity in the villages can very easily be known if you happen to go into the countryside. I know certain cases of places in the countryside where it is not possible to have good ghee for even those of us who live in villages because this *vanaspati* has travelled into the homes of those milkmen and *gowalas* who mix it with milk, boil them together. make a curd out of it and churn it afterwards so that this *vanaspati* is so inextricably mixed with ghee that it is very difficult for persons to

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find out whether it is pure ghee or not. This is the extent to which this commodity has travelled into the villages. Even though the life of this commodity began on a humble basis, the amount of money spent on its propaganda is so much that within a short span of 15 or 20 years, it has found a place in almost every village in the country. From a casual visit to any town or any village, one can see that this commodity is available anywhere and everywhere and in any quantity at any place. This is the extent to which this commodity has gained circulation. In view of the bad effects that it is having on the health of the nation, on the purse of the nation and on the general community, I would only request the House to come to a finding that the manufacture and sale of this commodity should be banned. If the Government consider that on account of the money that they get as cess out of this commodity they should not ban it, as an alternative, I would suggest that they should immediately discover some fast colour whereby it could be easily distinguished from ghee. If that is possible, we can afford to keep this matter pending for some time, to watch the reaction of the manufacturers and the people. You know the amount of money that the manufacturers have been spending on its propaganda. You can see the newspaper any day and you can find the good effects of *vanaspati* proclaimed from the housetops in any paper. I had occasion to listen to the speech of Shri Dabhi who was giving a story from a newspaper that there was a dancer who said that she had taken *vanaspati* and so she could afford to dance for the whole night. If that is the strength that *vanaspati* could give to the dancer, if that is the strength that *vanaspati* could give to the consumer, the whole nation can take it. If *vanaspati* could give strength, capacity, stamina to work for the whole night, you can make this country a heaven in a short time. If that is the potentiality of this commodity, the sooner the nation takes to it, the better. Let the Government come to a finding whether it is a thing which is suitable to the health of the nation. If it is so, we will patronise it in all ways and make it a good substitute for ghee and send ghee back to the villages, to be offered to the Gods. If that is not the state of things and Government find that it is not good from a close examination of the materials, then, they should take steps either to ban the sale and manufacture of it in this country, or to make it distinct from animal ghee, so that it may not stand any chance of being mixed with ghee to adulterate it. I would draw the earnest attention of this sovereign Parliament of India where we represent the nation to a man, and make this serious and sincere appeal. The House should take up the matter in all seriousness. If *vanaspati* is a good thing, let us have it by all means. If it is not so, let us ban it and banish it from this country. It is, I think, the paramount duty of the Government to see that only things which are healthy to the nation, for its physical, mental and moral development, should be allowed to continue in this country. If the Government are convinced, as I have said, that it is bad to the health, and physical, mental and moral development of the nation, certainly, they ought to ban it and give their wholehearted support to this Bill, and not allow it to prevail throughout the length and breadth of the country. I would, therefore, request the Government to study the facts of this commodity as stated in my arguments and according to the information available in the Library of this House and come to a conclusion. I am sure that this House will agree with me that this is a commodity which should not be encouraged, and that it should be banned or some such fast colour should be found, which would make it easily distinguishable from ghee so that it could not be mixed in adulteration with ghee. The protagonists of

[SHRI PATASKAR *in the Chair*]

this commodity are carrying on a great propaganda in this country. It is likely

[Shri Jhulan Sinha]

—I am not sure about it—that the expert opinions have been obtained for it for payment or for some other consideration. You will be surprised to know that there are people in this country who honestly feel and they have materials in their possession to show that the manufacturers of this commodity do not use it themselves. They claim that this *vanaspati* will give to the consumers' stamina to work for the whole day and night. But, the test of the pudding lies in the eating. According to that maxim, it is surprising that the manufacturers do not eat it because they are convinced that they have manoeuvred to get these opinions in its favour and that it is not a commodity which is really healthy to the nation.

I would further invite the attention of this House to a resolution passed by the All India Congress Committee some years ago where they were unanimously of the opinion that this commodity is harmful and that it should not be allowed to continue. That resolution was passed some years ago and it has not been annulled or modified or altered in any way. A large number of people represented in this House feel that this is a harmful thing. There is a very strong medical opinion—I do not say that it is unanimous—that it is harmful. It gives rise to so many complexities in the constitution of man and brings about its downfall. There is a very strong opinion also that it should be coloured if not immediately banned. I know that this colouring proposal was accepted by the Government when Pandit Thakur Das Bhargava's Bill was on the anvil of the Provisional Parliament. There were questions raised in this House on this point. It was revealed that as no fast colour has been able to be found so far, Government have not given effect to that. I feel that this colour will never be found unless this House decides that this commodity should be banned. It is these manufacturers who can find a fast colour if they knew that there was no alternative. In this state of things, I would urge upon the Government either to agree with me and ban it altogether and banish it from this country or at least make the manufacturers find out so fast a colour that there may not be any chance of its being mixed with ghee, ruining this nation. With these words, I commend my Bill to the acceptance of the House.

Mr. Chairman: Motion moved:

> "That the Bill to provide for the prohibition of manufacture and sale of *vanaspati* in India, be taken into consideration."

Kumari Annie Mascarene (Trivandrum): I deem it a privilege to support the Bill presented to this House by the hon. Member.

This is not the first time that a Bill or opinion of similar nature has been presented before this House. If I remember correctly, some six or seven years back, *vanaspati* was attacked in this House on several grounds. Now, I want to ask the party in power one question. If the Congress organisation has expressed its opinion by resolutions, if individual members have expressed their opinions against the manufacture of *vanaspati*, if there is public opinion expressed through the Press and the platform against this *vanaspati*, how is it that the Government continues to tolerate the manufacture of this foodstuff for so many years together?

If I remember correctly, years ago I had come across advertisements against the manufacture of *vanaspati*. The experiment tried on rats and found to be deforming the second generation was exhibited in this House and opinion expressed against the manufacture. Still, the manufacture continues. Am I to understand that because a capitalist interest is investing money, investing capital in manufacturing a spurious foodstuff like *vanaspati*, calculated to harm the human constitution and to be condemned as adulterated food, because it is a capitalist interest, we should tolerate it? They have been spending

mints of money in advertising it, in doing propaganda for it, and millions of our countrymen are misled into believing those advertisements and using this foodstuff in their homes. I am surprised at the tolerance of the Government. I request you please, if you are the representatives of the people running the Government on behalf of the people, that you should listen to the resolutions passed by your own organisation. You should listen to the opinions expressed by the public, by representatives of the people in this House and outside this House.

This food is passed off as ghee among the villagers. I am told that this is manufactured from oil like groundnut and dehydrogenated in order to give the colour of ghee. It is used widely by sweets makers and by people with their food. Now, what effect it is going to have in the coming generation we do not know. Experiments have proved them to be dangerous. There is also the adverse opinion that experiments are not tried properly and people who are antogonistic to the capitalists are doing propaganda against it. Well, it is left to the Government to find out which is the truth. But the continuity of opinion against the manufacture of this foodstuff is going on for the last six or seven years. It is high time that you took note of it.

The Food Minister on several occasions, if I remember correctly, has tried to evade questions on this subject. Will he be good enough today to give us a clear reply to the Bill presented to this House? We wish to know, we who are on this side of the House.....

Shri Algu Rai Shastri (Azamgarh Distt.—East *cum* Ballia Distt.—West): There seems to be no quorum.

Kumari Annie Mascarene: There is no quorum on the other side too.

An Hon. Member: No quorum in the whole House.

Kumari Annie Mascarene: Why don't you create quorum before you start looking at this side?

I do not know whether this Government will take notice.....

Mr. Chairman: I think there is quorum.

Kumari Annie Mascarene: We are also in the same boat.

I wish to know whether the Government will take notice of the fact that there is strong public opinion against the manufacture of this vegetable oil.

The Minister of Food and Agriculture (Shri Kidwai): Doubtful.

Kumari Annie Mascarene: If there is a doubt, is it not your duty to see that the doubt is cleared?

Shri Kidwai: That is, it should be manufactured.

Kumari Annie Mascarene: How many years will you take to clear this doubt? Am I to believe that you are taking an interest in the capitalists who manufacture this oil and are encouraging them to make money at the expense of the public health?

Shri Kidwai: Yes.

श्री अलगू राय शास्त्री : आनरेबिल मेम्बर आपस में बातें कर रहे हैं चेयर को एड्रेस नहीं कर रहे हैं । (*Interruptions*).

Kumari Annie Mascarene: If you say "yes", I strongly protest against it and say that you are unfit to sit in that bench. I protest against the answer so flippantly given by the Minister. He can answer it when his turn comes. He cannot say to us on this side of the House that he is there to encourage the capitalists who make money at the cost of public health. I am really sorry. I thought otherwise of him.

Shri Kidwai: May I know how many people in this country can afford ghee and how many people live on oil?

Kumari Annie Mascarene: I cannot understand it please.

Shri Kidwai: You cannot, please.

Kumari Annie Mascarene: Will he please make it clearer? (*interruptions*). Yes, I understand—how many live on ghee? The manufacture of *vanaspati* started only the other day. How did generations live before that? How are they going to live after that? Without *vanaspati* you cannot say we are all going to the dogs, we are not going to eat good food because *vanaspati* is not manufactured. (*interruptions*).

Shri Kidwai: I might inform the hon. Member that in this world people were in existence long before we discovered manufacturing ghee.

Kumari Annie Mascarene: Well, I think it is better for the Government to prove clearly to the people that this is not against their health, that this is not a capitalist interest, that they are democratically inclined, that there is no adulteration of food here. It is for you to prove clearly when there is so much of opinion against this. At least in this House I have heard representatives of the people attacking the manufacture of *vanaspati*, and if you say they are all unfounded, will your wisdom prove the value of this food material and relieve us from the doubt?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): It is already proved.

Pandit Thakur Das Bhargava *rose*—

Mr. Chairman: Yes, Pandit Thakur Das Bhargava.

Pandit Thakur Das Bhargava: I would have liked some other person to speak if he wanted to, but since you have called me, and no other member is standing I shall take it up.

पंडित ठाकुर दास भार्गव : चेयरमैन साहब, वनस्पति के बारे में इस हाउस में कई बार बहस हो चुकी है । मैं खुद कम से कम तीन चार घंटे वनस्पति के सब्जेक्ट पर बोलता रहा हूं । और इस मर्तबा अभी थोड़े दिन हुए जब फूड एडल्टरेशन बिल पेश हुआ तो उस वक्त भी इस हाउस में और दूसरे हाउस में इसके बारे में बहुत ले दे हुई, क्योंकि यह सवाल एक तरह से हिन्दुस्तानियों की जिन्दगी और मौत का सवाल है । यह सवाल छोटा सा नहीं है । आज हमको नजर नहीं आता कि वनस्पति क्या हैवक कर रहा है, लेकिन कुछ अर्से के बाद हमें इसका हैवक मालूम होगा और फिर आनरेबल मिनिस्टर साहब अपनी जबान से फरमायेंगे.....

श्री किदवई : तब न हम होंगे और न आप होंगे ।

पंडित ठाकुर दास भार्गव : यह मुमकिन हो सकता है कि इसका पूरा असर जिस वक्त मालूम हो उस वक्त मैं न होऊं, लेकिन मैं यह चाहता हूं कि किदवई साहब इतने अर्से तक जिन्दा जरूर रहें कि वह उस वक्त मौजूद रहें । मैं परमात्मा से दुआ करता हूं कि इनको बड़ी उम्र मिले । हमारे किदवई साहब ने इस देश की फूड समस्या हल कर दी और इस नाते मैं यह उम्मीद नहीं करता कि किदवई साहब इसको लाइटली लेंगे । मैं तो यही उम्मीद करता हूं कि जब तक किदवई साहब मिनिस्टर हैं फूड एन्ड एग्रीकल्चर के, तो जिस तरह फूड का मसला तय किया इसको भी तय करेंगे । मैं जानता हूं और बहुत से मिनिस्टर साहबान ऐसे हैं जिनसे मुझे कतई उम्मीद नहीं है और मैं उनमें से कइयों को इस हाउस में वनस्पति मिनिस्टर कहता रहा हूं

[SARDAR HUKAM SINGH *in the Chair*]

लेकिन मैं आनरेबुल रफी साहब को रिअल मिनिस्टर समझता हूं और मुझे पूरी उम्मीद है कि जिस तरह से हर क्वेश्चन पर उनका माइंड ओपन है और जिस तरह से उन्होंने बावजूद दिक्कतों और रुकावटों के गल्ले का मसला हल कर दिया, उसी तरह इस सवाल को भी अपने हाथ में लेंगे और मैं उनसे अदब से अर्ज करूंगा कि इस सवाल को भी आप उसी तरह

से हल कीजिये। इस सवाल को लाइटली न लीजिये, यह सवाल इतना छोटा नहीं है जितना कि यह सरफेस पर मालूम होता है। आपको मालूम होना चाहिये कि इस सवाल पर इस हाउस के कितने ही कमर्स पब्लिक ओपीनियन्स से भरे पड़े हैं। खुद मैं ने इस हाउस में छः लाख आदमियों की ओपीनियन्स पेश की थीं और इस वनस्पति के बरखिलाफ छः लाख से ऊपर रायों से आपके दफ्तर के दफ्तर भरे पड़े हैं। मैं ने सिर्फ दिल्ली के सौ डाक्टरों की राय पेश की जिन्होंने यह बयान दिया था कि यह चीज हेल्थ के वास्ते नुकसानदेह है। मैं ऐसी राय रखने में अकेला नहीं हूं और मैं अदब से अर्ज करता हूं कि वह ऐसे अशखास की ओपीनियन्स हैं जिनको आप नजर अंदाज नहीं कर सकते और ऐसी हस्तियों की भी राय इस वनस्पति के खिलाफ हैं जिनके वास्ते आपके दिल में इज्जत होगी। मेरी बहिन का यह एतराज कि वनस्पति के मामले में सरकार कैपिटलिस्ट इंटरेस्ट होने के कारण कतई पर्वाह नहीं करेगी, मैं इसको नहीं मानता और मैं नहीं समझता कि यह इतनी ढ़ेर की ढ़ेर ओपीनियन्स जिनसे कमरे भरे पड़े हैं यह कैपिटलिस्ट्स के इंटरेस्ट्स से दब जायेंगी और मैं नहीं मानता हूं कि हमारी गवर्नमेंट कैपिटलिस्ट्स के इंटरेस्ट से दबेगी और मुझे यकीन है कि वह इस मसले को ठीक तौर पर हल करेगी। यह भले ही हो सकता है कि जल्दी यह काम न पूरा हो, देर से हो, लेकिन मुझे पूरा यकीन है कि जनाब इस मामले को जिस तवज्जह का यह हकदार है, उतनी तवज्जह देंगे और उसका ठीक फैसला करेंगे। मैं ने अर्ज किया कि मैं अकेला नहीं हूं, मैं अभी हाउस के अन्दर एक ऐसा दस्तावेज पेश करूंगा जो कि गवर्नमेंट में रेकार्ड है। जब मैं ने यहां पर पहले इस बिल को पेश किया था तो यह सिलेक्शन कमेटी बैठायी गयी थी, मैं भी उस कमेटी का एक मेम्बर था, हांलाकि मैं उसका मेम्बर नहीं होना चाहता था, लेकिन प्राइम मिनिस्टर साहब की एडवाइस पर, हिदायत पर मैं उसका मेम्बर बना। मैं पहले से जानता था कि उस कमेटी का क्या होगा, रिपोर्ट आयेगी और गवर्नमेंट उस पर गौर करती रह जायगी। खैर मैं ने उस रिपोर्ट में तकरीबन ९० सफे का अपना डिस्सेंटिंग नोट लिखा और वह अपना डिस्सेंट का नोट मैं हाउस के हर एक मेम्बर की खिदमत में भेजना चाहता हूं, एक सोसाइटी ने उसको छपवा दिया है, वह मैं हर एक मेम्बर की खिदमत में भेजूंगा। इस बारे में जो देश के सबसे बड़े आदमी डाक्टर राजेन्द्र प्रसाद हैं, उनकी राय भी इस वनस्पति के बड़ी खिलाफ है। उनकी राय में इस वनस्पति से इस देश की कॅटल इंडस्ट्री और कॉटेज इंडस्ट्री दोनों को सख्त नुकसान पहुंचा है.....

Mr. Chairman: I have to call the attention of the hon. Member that President's name should not be cited to influence the opinion of the House.

पंडित ठाकुर दास भार्गव : मैं प्रेसीडेंट साहब की मौजूदा पोजीशन का कतई फायदा नहीं उठाना चाहता, लेकिन जब वह फूड एन्ड एग्रीकल्चर मिनिस्टर थे उस वक्त जो उन्होंने राय दी थी वह राय जरूर हाउस की तवज्जह के काबिल है।

सभापति महोदय : यह ठीक है, इस तरह पर आप कह सकते हैं, मगर जिस तरह माननीय मेम्बर ने कहा था कि हमारे देश के सबसे बड़े आदमी की यह राय है, तो उससे यह मतलब निकाला जा सकता था कि शायद आप प्रेसीडेंट साहब की तरफ इशारा कर रहे हैं।

पंडित ठाकुर दास भार्गव : आपका कहना बजा है। मैं तो तब की बात बतला रहा था जब कि वह हमारे फूड एन्ड एग्रीकल्चर मिनिस्टर थे और अगर आज हमारे फूड एन्ड एग्रीकलचर मिनिस्टर खड़े होकर कोई बयान दें, तो आप समझ सकते हैं कि उसकी क्या वैल्यू होगी। जिस वक्त उन्होंने यह राय जाहिर की थी उस वक्त वह फूड एन्ड एग्रीकल्चर मिनिस्टर थे और मैं उनकी किसी जाती राय का जिक्र नहीं कर रहा हूं। उन्होंने पब्लिक में हिसार में ही जब कि वह वहां पर आल इंडिया कॅटल शो खोलने के लिये पधारे थे फरमाया था और दीगर कई मौकों पर अपने उस ख्याल को जाहिर

[पंडित ठाकुर दास भार्गव]

किया था । मैं जानता हूं कि अगर श्री रफी अहमद किदवई चाहें तो मैं उनको अपनी सपोर्ट में कोट कर सकता हूं । हमारी बहिन श्रीमती अमृतकौर हेल्थ मिनिस्टर हैं उनकी राय की तरफ मैं हाउस की तवज्जह दिलाना चाहता हूं । उनकी यह राय है कि वनस्पति नुकसानदेह चीज है । मैं हिन्दुस्तान के ही नहीं बल्कि दुनिया के सबसे बड़े आदमी महात्मा गांधी के शब्दों में कहना चाहता हूं कि जो लोग इस वनस्पति को आगे चलाते हैं वे देश के दुश्मन हैं । यह उनके लफ्ज हैं मेरे लफ्ज नहीं हैं । उन्होंने फरमाया कि यह वनस्पति मुजिस्मा ४२० है । न यह वनस्पति है, न यह घी है, एक अजीब चीज है । उनकी राय हाउस के सामने मैं पढ़ कर सुनाऊंगा तो हाउस को मालूम होगा कि यह राय हमारे देश के पिता और दुनिया के सबसे बड़े आदमी की वनस्पति के सम्बन्ध में थी । अब भला बतलाइये कि इस मामले में क्या शक रह जाता है । जहां तक रायों का सवाल है मैं एक नहीं सैकड़ों रायें इसके लिये पेश कर सकता हूं । इसी सिलसिले में आज के एक बड़े आदमी श्री विनोबा भावे की राय भी आपकी खिदमत में पेश करना चाहता हूं । उनकी राय यह थी कि जब तक गवर्नमेंट वनस्पति के मैनुफैक्चरर्स के जिम्मे यह नहीं डालती कि वह ऐसा रंग निकालें जो कि फास्ट कलर हो उस वक्त तक यह मामला तय नहीं होगा और वही चीज मैं आज अपने आनरेबुल मिनिस्टर की खिदमत में अर्ज करना चाहता हूं ।

अभी मेरे भाई श्री झूलन सिन्हा ने हाउस की तवज्जह आल इंडिया कांग्रेस कमेटी के प्रस्ताव की तरफ दिलायी है । आल इंडिया कांग्रेस कमेटी ने देहरादून में लिखा कि इसको रंग दिया जाय और अगर इसको रंगा न जा सके तो इसके मैनुफैक्चर को बन्द कर दिया जाय । यह आल इंडिया कांग्रेस कमेटी का हुक्म था और इतना ही नहीं दूसरी मर्तबा आल इंडिया कांग्रेस कमेटी ने अपने सेशन में इसके मुताल्लिक फैसला किया कि वनस्पति को मौजूदा शक्ल में बिकने की इजाजत न होनी चाहिये । इसके अलावा मैं जनाब की तवज्जह अपने कांग्रेस के साबिक सदर श्री पट्टाभि सीता रमैया की तरफ दिलाना चाहता हूं जिन्होंने जयपुर कांग्रेस के अपने सदारती एड्रेस में इस चीज का जिक्र किया था कि वनस्पति को बंद करा जाय या इसको रंग दिया जाय लेकिन अगर न रंगा जा सके तो बंद कर दिया जाय, इसको मौजूदा सूरत में बिकने की इजाजत न दी जाय और लोगों की जिन्दगी के साथ खेल न किया जाय । मैं समझता हूं कि श्री किदवई स्वयं इसको तसलीम करेंगे कि जहां तक इस चीज का सवाल है यह हमारे वास्ते अच्छा नहीं है और यह बहुत जरूरी है कि इसको रंग दिया जाय । मैं अब और तरफ आपकी तवज्जह दिलाता हूं । जिन बड़े बुजुर्गों का नाम छोड़ कर आजकल के बड़े बुजुर्गों का नाम लेता हूं । आज मुझे अपने देश में प्राइम मिनिस्टर से बड़ा कोई आदमी नजर नहीं आता । प्राइम मिनिस्टर साहब ने बावजूद इस बात के जानते हुए कि लोग अखबारों पर इसे खाने लगे हैं तो भी एक कमेटी इस हाउस से मुकर्रर करायी । यह वह वक्त था जब मेरा बिल मौजूद था तो प्राइम मिनिस्टर साहब के हुक्म से एक कमेटी मुकर्रर हुई, प्राइम मिनिस्टर साहब ने मुझे प्रामिस दिया कि वे वनस्पति को रंगवा देंगे, श्री मुंशी जो उस वक्त फूड मिनिस्टर थे उन्होंने भी वायदा किया कि वह इसको रंगवा देंगे और जब मुझ से अपने बिल को ठहरवा देने के लिये कहा गया तो यह चीज हाउस की प्रोसीडिंग्स में दर्ज है कि चूंकि मेरे साथ इन लोगों ने वायदा किया है मैं अपने बिल को कुछ अर्से के वास्ते ठहराने के लिये एग्री हो गया । इसलिये जहां तक ओपीनियन्स का सवाल है इसमें कोई शक-शुबहा नहीं रहता कि सारा हाउस, सारी गवर्नमेंट और बड़े बड़े अफसरान और गवर्नमेंट के मिनिस्टर साहबान की ओपीनियन इस बारे में मेरे साथ है कि या तो वनस्पति को रंगा जाय या इसका मैनुफैक्चर बंद किया जाय और मैं हमेशा जब भी मौका मिलता है अपने हक में ओपीनियन्स कोट किया

करता हूं । मेरे पास लिखी हुई रायें हैं कि जहां तक वनस्पति का सवाल है यह हेल्थ के वास्ते अच्छा नहीं है, राजकुमारी जी तशरीफ ले आयी हैं, उनकी राय भी कोट करता हूं कि जहां तक इस वनस्पति का सवाल है, यह तंदुरुस्ती के वास्ते अच्छी चीज नहीं है ।

स्वास्थ्य मंत्री (राजकुमारी अमृतकौर) : चेयरमैन साहब, मैं आपकी इजाजत से इतना ही कहना चाहती हूं कि मैंने इस तरह की बात कभी नहीं कही । मैं ने तो इतना ही कहा था कि अगर सम्भव हो सके तो मैं कभी न चाहूं कि वनस्पति आये और घी न हो । मैं चाहती हूं कि घी हो, लेकिन घी हमें नहीं मिलता है ।

मैं ने फूड मिनिस्टर साहब से कहा है कि ऐसा इन्तजाम किया जाय जिससे कम से कम वनस्पति की वजह से जो एडल्ट्रेशन हो रहा है वह न हो सके और लोगों को ऐसी चीज मिले कि जिससे उनकी सेहतें बेहतर हों । मैं ने रंग के बारे में भी कहा था कि मैं ने विलायत में पूछा कि मार्गरीन और मक्खन में आप ने रंग डालने की कोशिश की या नहीं ताकि लोगों को पता चले । उन्होंने कहा कि हम ने बहुत कोशिश की, लेकिन हमें कोई रंग नहीं मिला । मैं ने इस बात के बारे में भी जिक्र किया था कि हमें कहा जाता है कि हम "बिग बिजनेसमैन" से मिले हुए हैं । मैं ने कहा था कि अगर लोगों की यही राय है, तो आप को हम को यहां से निकाल देना चाहिये ।

पंडित ठाकुर दास भार्गव : बड़ी हद तक जो कुछ मैं ने कहा था उस की ताईद हो चुकी है ।

Dr. Rama Rao (Kakinada): May I ask the hon. Member one question, only on facts, and not on anything confidential or anything like that? Of course, the hon. Member has gone into a lot of information. But what medical or scientific facts has he got in his possession? I am only asking for information. I wish he would oblige us by speaking in English.

Shri K. D. Malaviya: He has no facts. It is all based on sentiments. I admit sentiments also are great factors.

पंडित ठाकुर दास भार्गव : दो सवाल मुझ से पूछे गये हैं । एक डा० रामा राव ने पूछा, और उस की ताईद में आनरेबल मिनिस्टर साहब फरमाते हैं कि उन के पास ओपीनियन है और मैं जो अर्ज कर रहा हूं वह सिर्फ सेन्टिमेन्ट्स हैं ।

Shri K. D. Malaviya: I hold to it. There is absolutely no medical opinion as stated.

पंडित ठाकुर दास भार्गव : मैं तो यह समझा था कि आप यह कहना चाहते हैं कि मैं सिर्फ सेन्टिमेन्ट्स को अपील करना चाहता हूं मेरे पास कोई ग्राउन्ड नहीं है ।

Shri K. D. Malaviya: I am also against adulteration, but I am not against the manufacture of *vanaspati*, if we cannot get ghee.

Pandit Thakur Das Bhargava: My hon. friend has altered his opinion.

Shri K. D. Malaviya: I said that it is not an injurious thing. It is not borne out by medical facts that it is a very injurious thing.

Pandit Thakur Das Bhargava: I will answer it. That is a new opinion. यही डा० रामा राव साहब फरमाते हैं । और उसका मैं जवाब दूंगा । मैं यह नहीं कह रहा हूं कि मैं उस का जवाब नहीं दूंगा । लेकिन आप ने सवाल इतने पूछ लिये हैं कि मैं उन पर सिलसिलेवार आना चाहता था । बहरहाल, पहले यही लीजिये ।

जनाब वाला, डा० रामा राव साहब गालिबन एलोपैथिक सिस्टम को विलांग करते हैं, और हमारे आनरेबल मिनिस्टर मालवीय साहब गालिबन अपनी राय उस राय पर कायम करते हैं जो कि कुछ साइंटिफिक लोगों ने भेजी है । अगर कहीं वह राय यह हो, जैसा कि आनरेबल मिनिस्टर साहब ने फरमाया, कि यह वनस्पति डाइरेक्टली हेल्थ के वास्ते नुकसानदेह है, तो वह खुद इस को बैन कर देते । हमारे प्राइम

[पंडित ठाकुर दास भार्गव]

मिनिस्टर साहब ने खुद फरमाया था कि अगर उन के पास यह राय हो कि यह वनस्पति हेल्थ के वास्ते नुकसानदेह हैं तो वह एक मिनट की भी इस को बन्द करने में देर नहीं लगायेंगे। और मुझे यकीन हैं कि यह सही बात हैं। मेरे पास जो राय हैं वह मैं आप को बता देना चाहता हूं। जहां तक आयुर्वेदिक सिस्टम का सवाल हैं, आल इंडिया आयुर्वेदिक कान्फरेन्स ने इस वनस्पति को अनमिस्टेकेबल टर्म्स में कन्डेम किया हैं। मैं उस के रेजोल्यूशन को पढ़ कर इस वक्त नहीं सुनाना चाहता, क्यों कि यह आज खत्म होता नजर नहीं आता। दूसरे जो मैं ने डाक्टरों की राय पेश की हैं वे सिर्फ दिल्ली के १०० डाक्टरों की राय हैं जो कहते हैं कि वनस्पति हेल्थ के वास्ते अच्छा नहीं हैं।

श्री के० डी० मालवीय : वह क्या कहते हैं ?

पंडित ठाकुर दास भार्गव : वह भी बताता हूं। मसलन यहां आंखों का अस्पताल हैं। वहां वाले कहते हैं कि आंखों की बीमारियां इस वनस्पति के इस्तेमाल से ज्यादा पैदा होती हैं।

श्री के० डी० मालवीय : ज्यादा अच्छा होता और हम को डंटा मिलता। तब हम को यकीन होता कि वनस्पति में कौन सी चीज एक्टिव एजेन्ट हैं जिस से आंख बराबर खराब होती ही चली जाती हैं, या गला खराब हो जाता हैं। इस के मालूम होने से ज्यादा फायदा होता।

Shri K. K. Basu (Diamond Harbour): Government have no eyes. Why do you bother?

पंडित ठाकुर दास भार्गव : मैं अदब से अर्ज करना चाहता हूं कि मेरे लायक दोस्त मुझ से कहते हैं कि मैं बतलाऊं कि वनस्पति में कौन से एलिमेन्ट्स हैं जो आंखों को खराब करते हैं। यह सवाल आज का नहीं हैं।

Mr. Chairman: I think what I have been able to understand from him is that apart from the opinions expressed by the Ayurvedic Conference or some other bodies or doctors, he would like to know whether it has been scientifically shown that it is harmful, according to whatever system it may be. I think this is what he wants.

पंडित ठाकुर दास भार्गव : गरीब नवाज, अगर उन को यह सवाल पूछना ही हैं तो किसी डाक्टर से पूछते तो बेहतर होता।

श्री के० डी० मालवीय : मैं ने पूछा हैं। मुझ को मालूम हुआ हैं कि कोई नुकसान नहीं हैं।

पंडित ठाकुर दास भार्गव : वह भी लीजिये। जनाब वाला, एक स्कूल आफ थाट हैं जिस के अन्दर हमारे साइंटिस्ट्स ने भी लिखा हैं। साइंटिस्ट्स ने पहले जो लिखा हैं वह यह हैं कि इस वनस्पति को चूहों पर एक्सपेरिमेन्ट किया गया हैं। बहादुरगढ़ में जो आल इंडिया कैटल शो १९५४ में हुआ था उस में दिखलाया गया था कि वनस्पति चूहों को खिलाने से तीन जेनरेशन के बाद चूहा या तो मर जाता हैं या अन्धा हो जाता हैं। उस के बाद एक कमेटी बनाई गई, उस ने जो फैसला किया वह यह था कि क्रूड आयल में, वनस्पति में, और रिफाइन्ड गाउंडनट आयल के इस्तेमाल में कोई फर्क नहीं हैं। उन की यह राय हैं। मैं हाउस से छिपाना नहीं चाहता हूं इस राय को। मैं नहीं कहता कि मेरी सारी राय को ही सही माना जाय। मैं आनरेबल मिनिस्टर साहब को दोष नहीं देता। मेरे पास तो प्राइम मिनिस्टर साहब का फतवा मौजूद हैं कि अगर कोई यह साबित कर दे कि वनस्पति हेल्थ के वास्ते नुकसानदेह हैं तो वह इस को बन्द कर देंगे। हमारी हेल्थ मिनिस्टर साहबा भी यहां बैठी हुई हैं, वह भी इसको कायम न रहने देंगी। मैं अपना केस यह नहीं रख रहा हूं कि मेरी राय सही हैं कि यह हेल्थ के वास्ते खराब हैं। मेरे पास तो ओपीनियन्स हैं, डाक्टरों की भी ओपीनियन हैं, और आयुर्वेद वालों की भी ओपीनियन हैं। लेकिन ताहम आप के पास जो साइंटिफिक लोगों की ओपीनियन हैं। अगर आप को उस के अन्दर जरा भी डाउट हैं तो बेनिफिट आफ डाउट सोसाइटी के इंन्टरेस्ट को मिलना चाहिये।

अगर जरा भी शुबहा है कि यह चीज हेल्थ के वास्ते नुकसान दे सकती है, तो उस को फौरन बन्द कीजिये ।

श्री के० डी० मालवीय : जहां तक मेरी राय है, इस में जरा भी शुबहा नहीं है कि इस से कोई नुकसान हो सकता है ।

पंडित ठाकुर दास भार्गव : अगर आप की जाती राय का सवाल होता तो मैं उस को काफी समझता कि आप का ठीक फतवा हो गया है । लेकिन इस के अन्दर जिन लोगों की बात मैं अर्ज कर रहा हूं, उन की जाती राय ऐसी नहीं है । और हो भी तो यहां सिर्फ हेल्थ का ही सवाल नहीं है । मान लीजिये कि यह हेल्थ के वास्ते नुकसानदेह नहीं है ....

श्री किदवई : तब केस आप का सही है ।

श्री के० डी० मालवीय : तब किन बातों में नुकसान है ?

पंडित ठाकुर दास भार्गव : मैं आनरेबल मिनिस्टर साहब की खिदमत में कोई ऐसी बात अर्ज नहीं करूंगा जिस में उन को एक मिनट के लिये भी यह कहने का मौका मिले कि जो कुछ मैं कह रहा हूं वह सही नहीं है या वह मेरी राय से एग्री न करें । मैं जानता हूं कि आखीर में वह मेरी राय से एग्री करेंगे । मैं एक दूसरी बात की तरफ तवज्जह दिलाता हूं । आनरेबल मिनिस्टर साहब इस देश के कृषि मंत्री हैं । जिस देश के अन्दर इतनी बड़ी तादाद में जानवर हों और उन जानवरों की तरक्की को आप देखना चाहते हैं । मुझे आप की राय इस बारे में मालूम है । आप चाहते हैं कि हमारे देश के जानवरों की तरक्की हो, और इस देश में हर एक आदमी को घी खाने को मिले, दूध पीने को मिले । आप ने मुझ से सीधा सवाल पूछा । मैं भी आप से सीधा सवाल पूछता हूं कि बतलाइये, सब आदमियों के लिये घी है । मैं अर्ज करता हूं कि जब तक आप का वनस्पति चलता है तब तक घी देश में कैसे पैदा हो सकता है ? आप एक घड़ा लीजिये, उस में छेद कर दीजिये । उस में पानी डालिये, उस में एक छटांक भी पानी नहीं ठहरेगा । सब पानी गिरने लगेगा । २७, २८ वर्ष पहले जब वनस्पति देश में नहीं था, तो हिन्दुस्तान में घी या दूध था या नहीं ? ये दोनों चीजें काफी थीं ।

श्री के० डी० मालवीय : सब खाते नहीं थे ।

पंडित ठाकुर दास भार्गव : मेरे लायक दोस्त कहते हैं कि लोग खाते नहीं थे, शायद वह दूध भी नहीं पीते थे ।

श्री के० डी० मालवीय : अब लोग ज्यादा खाने लगे हैं ।

पंडित ठाकुर दास भार्गव : इस को छोड़िये कि खाते हैं या नहीं । यह बताइये कि सन् १९२५ में कितना घी बनता था । उस समय घी की उत्पत्ति २३० लाख मन थी । सन् १९३५ में जो फिगर्स थे, सन् १९४० में उस में २४ पर सेन्ट की कमी हो गई । आप देखिये कि पहले वनस्पति बनने की तादाद बहुत थोड़ी थी । पहले सिर्फ विलायत से वनस्पति आता था । जब हमारे यहां इन कारखानों की तरक्की हुई तब घी की उत्पत्ति में कमी हुई । उस के बाद सन् १९४५ तक ११ पर सेन्ट की कमी हो गई । मेरे लायक दोस्त कहते हैं कि पहले लोग घी खाते नहीं थे और दूध पीते नहीं थे ।

श्री के० डी० मालवीय : मैं ने कहा कि अब लोग ज्यादा खाने लगे हैं ।

पंडित ठाकुर दास भार्गव : जनाब वाला, सन् १९२५ में राइट साहब ने रिपोर्ट लिखी तो उन्होंने फरमाया कि इस देश के अन्दर जो दूध का औसत है वह हर एक आदमी के वास्ते ७ औंस है । हमारे देखते देखते हमारे आनरेबल मिनिस्टर साहब के डिपार्टमेन्ट की फिगर्स अब ४ २/४ औंस हो गई हैं । तो आप बतलाइये कि पर हैड मिल्क का कंजम्पशन कम हुआ या ज्यादा हुआ ।

श्री किदवई : पापुलेशन में कितना फर्क हुआ है ।

पंडित ठाकुर दास भार्गव : अगर आदमियों की पापुलेशन बढ़ी तो जानवरों की भी बढ़ी

[पंडित ठाकुर दास भार्गव]

होगी । और फर्ज कीजिये कि अगर पापुलेशन बढ़ी तो क्या आपको उसके लिए दूध का इन्तिजाम नहीं करना चाहिए । आपने अपने कांस्टीट्यूशन की दफा ४७ में लिखा है कि हम इस देश के खाने पीने की चीजों के स्तर को बढ़ायेंगे । तो मैं पूछता हूं कि आप उसको कैसे बढ़ायेंगे । आप दफा ४७ को या तो फाड़ दीजिये या अपने यहां की कैपिटल इंडस्ट्री की तरफ तवज्जह कीजिये । आपकी कैपिटल इंडस्ट्री को वनस्पति ने तबाह कर दिया है । आपके प्रिंसेसर साहब ने एक कमेटी बनायी थी और उसका परसोनल भी तकरीबन एनाउंस हो गया था लेकिन पता नहीं क्यों फिर वह कमेटी नहीं बैठी । वह कमेटी इस बात के लिए थी कि यह देखा जाय कि वनस्पति का कैपिटल इंडस्ट्री पर क्या असर हुआ । मैं अदब से अर्ज करना चाहता हूं कि कैपिटल इंडस्ट्री पर इस का इतना खराब असर हुआ है कि आप और सब चीजों को छोड़ दीजिये सिर्फ यही एक चीज इसके लिए काफी है कि आप यह फैसला करें कि या तो इसको रंगो या बन्द करो । मैं आपकी तवज्जह उस रिपोर्ट की तरफ दिलाना चाहता हूं जो कि उस कमेटी ने दी थी जो कि आनरेबिल मिनिस्टर के डिपार्टमेंट ने कायम की थी और जिसका मैं भी एक मेम्बर था । इसके अलावा और भी बहुत सी रिपोर्टें आपके यहां से साया हुई हैं जिनमें यह लिखा है कि ९० फीसदी घी का एडल्टरेशन वनस्पति से होता है । यह चीज इतनी एडल्टरेंट है कि यह घी को कैसे कायम रहने दे सकती है और कहां से लोग घी खा सकते हैं । जब पिछली मर्तबा इस पर बहस हुई तो उस वक्त सरदार बलदेव सिंह साहब यहां पर मौजूद थे । मैं ने उनसे कहा कि हमारे जिले हिसार और रोहतक के, और अपर इंडिया के और साउथ इंडिया के लोग भी घी खाना पसन्द करते हैं. और आप हमारे लोगों को फौज में भरती करते हैं तो आप उनको घी क्यों नहीं खाने को देते ताकि उनकी गिट मेरट और विगर कायम रहे और उनकी हैल्थ अच्छी रहे, क्योंकि मैं समझता हूं कि उनकी हैल्थ देश के वास्ते एक असेट है । तो मैं ने उनसे पूछा कि आप अपनी फौजों को वनस्पति देना पसन्द करते हैं या घी देना । उन्होंने मुझे बतलाया कि वह अपनी फौजों को प्योरेस्ट घी देना चाहते हैं और उन्होंने कहा कि मैं किसी कास्ट की परवाह नहीं करता, लेकिन मैं यह नहीं चाहता कि दाम तो घी के दूं और उनको खिलाऊं वनस्पति । इसलिए हमने अपनी फौजों को वनस्पति देना शुरू कर दिया है । मैं, जनाब वाला, देश के लिए इससे बड़ी आपत्ति नहीं देखता कि मेरे देश के सिपाहियों को आप वनस्पति खिलायें बजाय घी के । बहरसूरत इसमें भी कोई शुबहा नहीं है कि आनरेबिल मिनिस्टर साहब और मालवीय साहब मेरी इस बात की तसदीक करेंगे कि [illegible] के लिए वनस्पति घी के मुकाबले अच्छी और ज्यादा ताकतवर चीज नहीं है । यह आपकी उस साइंटिफिक कमेटी ने भी लिखा है ।

श्री के० डी० मालवीय : यह बात तो सही है ।

पंडित ठाकुर दास भार्गव : तो मैं पूछता हूं कि जो चीज इस घी की इतनी दुश्मन हो कि जो घी को खत्म कर दे और किसी आदमी के लिए शुद्ध घी खाना नामुमकिन कर दे क्या आप उसको चाहते हैं कि वह देश में तरक्की करे और कायम रहे ।

मैं आपकी तवज्जह एक और बात की तरफ दिलाना चाहता हूं । मैं बहुत अदब से और बेंडेड नीज पर आनरेबल मिनिस्टर साहब से अर्ज करूंगा कि वे मेरे आर्ग्यूमेंट्स की जो वकत है वह उनको दें । इसको मैं बहुत इम्पारटेंट मानता हूं । मुझे खुद तो पता नहीं, लेकिन साइंस वाले, आयुर्वेद वाले और डाक्टर यह कहते हैं कि छाछ में वह ताकत है जो कि दूध में भी नहीं है । यह चीज इतनी मुफीद है कि कई बीमारियों में, जैसे संग्रहणी में इलाज के तौर पर दी जाती है । इस मर्ज में छाछ के सिवा और कुछ नहीं दिया जाता । यह छाछ ऐसी चीज है जो कि गरीब आदमी की खुराक है, जो कि हर एक कल्टीवेटर की खुराक है । सुबह के वक्त हर एक कल्टीवेटर की बीवी छाछ में आटा मिलाकर

लपसी बनाती हैं और उसको अपने आदमी के लिए खेत पर ले जाती हैं। इसको खा कर और छाछ को पीकर वह आदमी सर्दी को सर्दी नहीं गिनता और गर्मी को गर्मी नहीं गिनता। यह उसका स्टेपिल फूड है और अगर आप इस छाछ में कमी करते हैं तो मैं अदब से अर्ज करना चाहता हूं और जोर से अर्ज करना चाहता हूं कि आप देश वासियों को ऐसी मुसीबत में डालते हैं, उनकी खुराक के अहम हिस्से को इस तरह नुकसान पहुंचाते हैं जिसको आप कभी पूरा नहीं कर सकते। इसलिए जो चीज इस देश के अन्दर छाछ की उत्पत्ति को कम करती है वह इस देश के वास्ते हानिकर ही नहीं है, बल्कि वह इतनी सख्त नुकसानदेह है कि इस नुकसान को किसी आदमी को बरदाश्त नहीं करना चाहिए। मैं अर्ज करना चाहता हूं और आप खुद मालूम कर लें कि जिस इलाके से मैं आता हूं वहां के लोग दूध नहीं बेचा करते थे। वहां पर बेटी और दूध का बेचना मायूब समझा जाता था। अगर कोई वहां जाता था तो सबसे पहले उसको दूध आफर करते थे। लेकिन आज वहां गांवों के अन्दर छाछ भी आफर नहीं होती और आपको मालूम रहे कि वहां आज छाछ भी बेची जाती है। यहां हम हरिजनों का बड़ा रोला सुनते हैं। कहा जाता है कि हरिजन बहुत गरीब हैं। आज उन हरिजनों को वह छाछ भी नहीं मिलती जो पहले मिला करती थी।

Shri K. K. Basu: What is *chhachh*?

पंडित ठाकुर दास भार्गव (बटर मिल्क) : जो आदमी कलकत्ते जैसे बड़े शहरों में रहते हैं उनके दिमाग में यह बात नहीं आ सकती कि छाछ के अन्दर क्या राज पिनहां है।

श्री के० के० बसु : एक दफा हमको भी छाछ पिलाइये।

पंडित ठाकुर दास भार्गव : आप मेरे साथ चलें मैं आपको ऐसी छाछ पिलाऊंगा कि जो आपके दूध से भी बेहतर होगी।

श्री के० के० बसु : हमको दूध कहां मिलता है।

पंडित ठाकुर दास भार्गव : मेरे बहुत से दोस्त ऐसे इलाकों से आते हैं जहां दूध मयस्सर ही नहीं होता। पिछली बार मैं उड़ीसा में गया। तो मैं जहां ठहरा था वहां मुझ से पूछा गया कि क्या पिओगे। मैं ने कहा कि मैं शराब नहीं पीता, चाय तक नहीं पीता, मैं तो दूध पीता हूं। उन्होंने बहुत कोशिश की लेकिन दूध मुहय्या नहीं हो सका। मैं ने कहा कि क्या मामला है तो उन्होंने बताया कि यहां उड़ीसा में एक गाय पाव भर दूध देती है। यहां दूध कैसे इकट्ठा हो सकता है। मेरे दोस्त मुझे माफ करेंगे। मेरे बहुत से दोस्त ऐसे इलाकों से आते हैं जहां कि एक गाय दो तीन सेर दूध देती है। और जहां से मैं आता हूं वहां एक बकरी भी पांच सेर दूध देती है। जिस इलाके का मैं रहने वाला हूं और जहां के मिनिस्टर साहब रहने वाले हैं वहां गायें ज्यादा दूध देती हैं। मैं देख रहा हूं कि मेरी बातें मिनिस्टर साहब के दिल में खुबती जाती हैं। मैं देख रहा हूं कि मेरी बातों का उन पर असर हो रहा है क्योंकि आनरेबल मिनिस्टर साहब को खूब मालूम है कि यू० पी० और पंजाब में छाछ किसान का स्टेपिल फूड है। अगर उस स्टेपिल फूड में गवर्नमेंट के किसी काम की वजह से या फेलिंग की वजह से कमी आवे.....

श्री के० डी० मालवीय : छाछ और वनस्पति के बारे में तो कोई लड़ाई नहीं है।

एक माननीय सदस्य : छाछ भी तो शुद्ध नहीं मिलती।

पंडित ठाकुर दास भार्गव : आनरेबल मिनिस्टर साहब को छाछ और वनस्पति का कनेक्शन बतलाने का एक तरीका यह है कि मैं उनसे अर्ज करता हूं कि आज रात को जब वह बिस्तर पर जायें उस वक्त यह सोचें कि कैपिटल इंडस्ट्री पर वनस्पति का क्या असर है। अगर आप किसी कल्टीवेटर को घी की पूरी कीमत नहीं देंगे तो घी कैसे मयस्सर होगा। घी क्या चीज है। जो अनकंज्यूम्ड मिल्क है उसी से घी बनता है। अगर गाय के दूध और घी की पूरी कीमत कल्टीवेटर को नहीं मिलती तो कैपिटल इंडस्ट्री जिन्दा नहीं रह सकती। अगर आप इसी तरह से वनस्पति को रहने देते हैं तो आप उसको घी

[पंडित ठाकुर दास भार्गव]

के साथ मिलाने की इजाजत देते हैं। और इस हालत में इस मिलावट को कोई रोक नहीं सकता क्योंकि इसके साथ इकोनामिक फोर्सेज लगी हुई हैं जिनको कोई नहीं रोक सकता जैसे कि बाढ़ को कोई नहीं रोक सकता। इसके साथ इकोनामिक लाज काम कर रहे हैं। अगर किसी का फायदा घी में वनस्पति मिलाने में है और जब घी ६ रुपये सेर बिकता है और वनस्पति २ रुपये सेर मिलता है तो कौनसा ऐसा दिल वाला है। जो घी के साथ वनस्पति को नहीं मिलायेगा। आपको मालूम है कि यह किस तरह मिलाते हैं ? मैं आपको बतलाऊं कि यह किस तरह मिलावट करते हैं और चार सौ बीस करते हैं। लोग वनस्पति को ले जाते हैं और मिलावट करते हैं और बहुत लोग इतने होशियार हैं कि वे अपनी गाय, भैंसों को शुद्ध वनस्पति खिलाने लगे हैं, ताकि उसका असर आजाय क्योंकि जाहिर है कि जैसा आप जानवर को खाने को देंगे वैसा ही तो आपको मिलेगा। अगर आप मुझे वनस्पति ही खिलायेंगे तो जाहिर है कि मैं वनस्पति मेम्बर होकर रह जाऊंगा। हां, तो मैं आपको बतला रहा था कि किस तरह चार सौ बीस चल रहा है। दूसरे यह चालाकी करते हैं कि रात को दूध जमाते वक्त उसके अन्दर मिला देते हैं और तीसरे बिलोते वक्त वनस्पति मिला देते हैं और वह वनस्पति का अंश घी के साथ मिल कर वतौर घी के होता है और उनको कस्म खाने की जगह है कि हमने तो घी से निकाला है और यह अफसोस की बात है कि इस चीज के ऊपर काफी तवज्जह जितनी होनी चाहिये हमारी सरकार की नहीं रही है और जबतक इस पर तवज्जह नहीं होगी, इस देश की कौटेज इंडस्ट्री नहीं पनप सकती। जबतक कि आप इस वनस्पति को रंग नहीं देंगे या अगर न रंगा जा सके तो इसके मैनुफैक्चर को खत्म नहीं कर देंगे तबतक हमारे देश की कौटेज इंडस्ट्री और कौटेल इंडस्ट्री पनप नहीं सकेगी।

अब मैं वनस्पति को छोड़ कर दूसरी तरफ तवज्जह दिलाना चाहता हूं कि इससे हमारी खुराक पर कितना मुजिर असर पड़ता है। मैं आपकी तवज्जह एक और चीज की तरफ दिलाना चाहता हूं। आज देश में जरूरत इस बात की है कि सर्वोदय समाज के द्वारा सारे काम और यह फाइव ईयर प्लान को जाकर पबलिक में प्रचार करें। आप चाहते हैं कि हमारी कौटेज इंडस्ट्रीज बढ़ें। हमारी गवर्नमेंट ने, प्लानिंग कमीशन ने, सर्वोदय समाज के चलाने वालों ने इस कौटेज इंडस्ट्री को जहां तक ग्राउन्ड नट से तेल पैदा करने का सवाल है यह करार दिया है कि यह कौटेज इंडस्ट्री अव्वल दर्जे की कौटेज इंडस्ट्री है और हमने जब यह उसूल मान लिया कि एडीबल आयल्स के वास्ते दूसरी दूसरी फैक्टरियों को बन्द करना है और कोई कम्पटीशन नहीं होने देना है और जब गवर्नमेंट उससे कमिटेड है तो वनस्पति को बंद कर दिया जाय। गवर्नमेंट ने सिर्फ अनइम्पलायमेंट को दूर करने के वास्ते सारी कौटन टैक्सटाइल फैक्टरीज का चालीस परसेंट का जो धोतियों को लेकर झगड़ा था वह तय किया और गवर्नमेंट हर मुमकिन कोशिश करती है कि किसी सूरत से इस देश से अनइम्पलायमेंट दूर हो। अनइम्पलायमेंट को हल करने का एक ही उपाय है और वह है अपने देश की कौटेज इंडस्ट्री को बढ़ावा देना ताकि गांव के अन्दर लोगों को काम करने को मिले। मैं नहीं समझता कि जब हमारे प्लानिंग कमीशन ने यह फैसला कर दिया कि जो एडीबल आयल्स हैं उनके मुकाबले में फैक्टरीज को नहीं जारी रहने देंगे, तो क्यों नहीं इसका मैनुफैक्चर बंद किया जाता। प्लानिंग कमीशन की रिपोर्ट मुलाहिजा फरमायें, उसके अन्दर एक तजवीज यह भी है....

श्री सिंहासन सिंह (जिला गोरखपुर---दक्षिण): गवर्नमेंट ने नहीं माना है।

पंडित ठाकुर दास भार्गव : गवर्नमेंट ने माना है कि जहां तक कौटेज इंडस्ट्रीज का सवाल है हम कौटेज इंडस्ट्रीज को एडीबल आयल्स को प्रोत्साहन देंगे, अगर आपको यकीन न हो तो

में अथारिटी कोट करने को तैयार हूं। आप एक एक तेली के घर जाकर देखिये कि उसकी क्या हालत हो रही है और उसको सुधारने की कोशिश कीजिये। मैं अदब से अर्ज करना चाहता हूं कि अगर आप वाकई चाहते हैं कि हमारे देश से बेकारी दूर हो तो हमें अपनी कॉटेज इंडस्ट्री को बढ़ाना होगा और इसके मैनुफैक्चर को बंद करना होगा क्योंकि तभी हमारे एडीबल आयल्स को प्रोत्साहन मिल सकता है। इस वनस्पति इंडस्ट्री के बनाने में कारखाने आदि स्थापित करने में जितना रुपया खर्च हुआ वह तो हुआ और साथ ही मजदूरों की मेहनत खर्च होती है और और तरह का उसके अन्दर खर्चा होता है। एक किताब मेरे दोस्त श्री राधा कृष्ण बजाज ने इस सम्बन्ध में लिखी है जिसमें से मैंने अपने डिस्सेंटिंग नोट में कोटेशन दिया है। उन्होंने लिखा है कि बारह करोड़ रुपया इस देश का वनस्पति के बनाने पर खर्च होता है और जनाबवाला, मेरी सरकार इसको माने या न माने कि इससे कोई हेल्थ पर खराब असर पड़ता है या नहीं पड़ता है क्योंकि कुछ साइन्सदां ऐसे भी हैं जिन्होंने एक मुख्तलिफ राय सरकार को वनस्पति के बारे में दी है, लेकिन यह जरूर मानेंगी कि जहां तक एकोनामिक क्वेश्चन का ताल्लुक है, वनस्पति का मैनुफैक्चर और इस्तेमाल हमारे देश के एकोनामिक इंटरेस्ट के बरखिलाफ है। मैं मालवीय जी से एक सवाल पूछना चाहता हूं जो कि कई मर्तबा इंटरप्शन कर चुके हैं कि क्या इस वनस्पति के बनाने से इस देश के फैट कंटेंट में एक आउन्स भी ज्यादा बढ़ता है। अगर वनस्पति से फैट कंटेंट बढ़ता हो तो जरूर बनाइये.....

श्री के० डी० मालवीय : कई फायदे भी हैं।

पंडित ठाकुर दास भार्गव : जो मैंने सवाल आपसे पूछा है उसके मुताल्लिक बतला दीजिये।

Shri D. C. Sharma (Hoshiarpur): Will the hon. Member explain how the manufacture of *vanaspati* affects the economic life of the country?

Pandit Thakur Das Bhargava: Let the hon. Member hold his soul in patience and he will very soon come to know this.

जनाबवाला, मैं आपको बतलाऊं कि वनस्पति के भावों में और ग्राउन्ड नट के आयल के भावों में फर्क देखिये.....

एक माननीय सदस्य : तिगने से ज्यादा फर्क है। वनस्पति आयल और क्रूड आयल में जो कि ग्राउन्ड नट से निकलता है उनके अन्दर तीन गुने का फर्क है।

पंडित ठाकुर दास भार्गव : अपने डिस्सेंटिंग नोट में तहकीकात करने के बाद इसके बारे में मैंने फीगर्स दिये हैं, जिस जमाने का उसमें जिक्र है उस वक्त दुगने का दोनों में फर्क था। अगर आपको वनस्पति ढाई, तीन रुपये सेर मिलता था तो दूसरा तेल उससे आधी कीमत पर दस्तयाब था। मैं अदब से पूछना चाहता हूं कि जब वनस्पति में जरा भर भी फैट कंटेंट में फर्क नहीं है, फूड वैल्यू में कोई इजाफा नहीं हुआ अलबत्ता कमी जरूर हुई, तो मैं अदब से पूछता हूं कि एक आदमी को आप क्यों मजबूर करते हैं कि तीन रुपये का वह आधा सेर वनस्पति ले जब कि तीन रुपये में दूसरा क्रूड तेल पूरा सेर भर मिलता है, एक गरीब आदमी को उतनी ही कीमत में जब दुगना दूसरा तेल मिलता है तो क्यों आप वनस्पति को बिकने देते हैं जिसका असर यह होता है कि एक गरीब आदमी उतनी कीमत में वनस्पति हासिल नहीं कर सकता है जितने में वह क्रूड आयल ले सकता है। मेरे ख्याल में मेरे लायक दोस्त इस बात को तसलीम करेंगे कि अगर उनको घी छः रुपये सेर में मिलने लगे तो वह पसन्द नहीं करेंगे कि उसी घी को कायम रहने दिया जाय, बारह रुपये में घी मिलने लगे तो उससे तो एकोनामिक क्वेश्चन हल नहीं होता। इस वास्ते मेरी गुजारिश है कि इसके एकोनामिक एस्पेक्ट को भी देखा जाय। हर एक गरीब कल्टीवेटर इस ग्राउन्ड नट को खाता है और मद्रास में तो काफी लोग इसका इस्तेमाल करते हैं। मेरा यह विरोध नहीं है कि वह क्यों ग्राउन्ड नट आयल खाते हैं, जहां घी न मिले वहां

[पंडित ठाकुर दास भार्गव]

ग्राउन्ड नट आयल खायें, वह बेचारे गरीब हैं उनके मुंह में जबान नहीं है तो यह कहां का इंसाफ है कि आप कैपिटलिस्ट लोगों को वनस्पति के बनाने की इजाजत देकर गरीब लोगों को वही चीज दुगनी कीमत पर देते हैं।

Mr. Chairman: May I suggest to the hon. Member that this is a Private Member's Bill and there are so many others also who want to speak and so he may curtail his speech.

Pandit Thakur Das Bhargava: It is nearly five o'clock. Even if, under your orders, I curtail my speech by a minute or two, it will not improve the position. Therefore, I request that I may be allowed to continue.

Mr. Chairman: What I was suggesting was this. It is not only this time but at other times also.

Pandit Thakur Das Bhargava: I am very sorry, Sir, that I cannot finish my speech in five minutes. If I repeat any argument, you can certainly ask me to discontinue. If I am offending against the rules you can certainly ask me to discontinue my speech. I have only advanced three reasons and I have yet six more reasons to submit and there they are all in print.

Mr. Chairman: I need not say more. The hon. Member is senior to me. What I wanted to suggest was that in the case of Private Members' Business we have got very little time. It is from that point of view only that I wanted to suggest that as he has already taken about 40 minutes or so, he may soon finish his speech. Now, I have only to adjourn. I find several hon. Members anxious to speak. This is only my suggestion.

The House will now stand adjourned till 11 A.M. tomorrow.

The Lok Sabha then adjourned till Eleven of the Clock on Saturday, the 18th September, 1954.